13 1953

ALABAMA

Knives Top Murder Weapons Among Negroes

By DON McKEE
(Second In Series)

Knives.

The word jumps out at you every place you talk about Negro murders in Montgomery.

Policemen ruefully shake their heads about the number of Negroes stabbed or cut here every year. Last year, there were 21 killings here—all Negro. In nine of the cases, knives were the lethal weapons used for murder.

Negro leaders are quick to blame lack of education and recreation for the high crime rate.

But the plain, ordinary Negro said:

"You've been to the 'big shots'. Now you've come to a 'little shot'.

"The 'big shots' told you we need recreation—education.

"What we need is stricter law enforcement," he said, "and there ought to be a law against carrying a knife."

Another Negro, a night club manager, said:

"Stop this knife carrying. That will cut down on these killings."

Others recommended an anti-knife law.

Law On Knives

But the Montgomery City Code states that whoever is apprehended in the possession of "a bowie knife, or any other knife or instrument of like kind or description, . . . or any other deadly or dangerous weapon," has committed an offense against the law and is punishable by fine or imprisonment.

The Alabama Code says "whoever draws, or threatens to use, any pistol, dirk, knife, sling-shot, or other deadly or dangerous weapon," is also subject to fine or imprisonment—except in the case of self-defense.

Night club managers told how pocket knives and other weapons had fallen from some of their customers' clothing while they were at table or on the dance floor.

However, in the more reputable clubs, the possession of knives is controlled by the management. These clubs are called a credit to the Negro society by both white and Negro.

The Club 400, near which a murder was committed this year, is one of the better type members-only clubs in Montgomery. And the murder, referred to in another story as having occurred in front of the 400, actually happened about a block away from the brightly lighted club.

But, inside the city limits of Montgomery, there are many disreputable dives and joints where a man may be killed for little or no excuse, these Negroes say.

Some of these ordinary, "run of the mill" Negroes, who have seen a lot of fights and near-killings, hinted broadly that some of Montgomery's city policemen have shown fear in the face of a drawn knife. Policemen say they know of no such incident.

The other thing mentioned as a remedy for Negro killings here—besides anti-knifeism—was stricter punishment for convicted killers.

A little research in county records revealed the following facts concerning convictions in Montgomery County on capital offenses last year and this year.

The lighest penalty one Negro received for first degree murder of another in the past two years was life imprisonment.

Several Negroes were sentenced to 99 years for robbery.

And at least one Negro will die in the electric chair for rape.

Sentences for manslaughter in the first degree ranged from 18 months to 35 years.

Sentences for second degree murder ranged from 10 to 35 years.

All the Negroes interviewed agreed on one point:

"It's time some definite—and severe, if necessary—steps are taken to lower the number of crimes committed in Montgomery by Negroes."

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Thurs 8-20-53

Negro Crime Rate Remains At High Peak

Advertiser

25 Stabbings, Cuttings Reported Among Race During 2-Week Period

By DON McKEE
Third In a Series

Twenty-five cases of cutting and stabbing among Negroes were investigated by Montgomery City Policemen here during the last two weeks of August.

So far this month, there have been three cuttings.

There have been 14 murders—all Negro—this year. The last one was committed Aug. 9.

A knife was used to stab the victim in that case.

Knives, razors, ice picks. These are the bloody weapons employed by irate Negro wives, drunken men or the traditional "jilted," or jealous lover.

There is no certain time for the Negro cutting sprees. But Saturday night generally is the occassion for from one to five or more knife fights.

Montgomerians expressed concern when they learned of the high rate of Negro killing and knifing here.

One prominent white man said: "As long as they keep the killing among themselves, (Negroes) about all we can do is hope they'll make a change for the better."

No one seemed very worried about the situation outside of law officers. The reason:

It Seems Natural

Such cutting and killing have gone on for so long a time among Negroes here that it is accepted. It seems somewhat natural to native Montgomerians.

Most people want something to be done about the Negro crime situation.

"As long as public opinion against Negro crime and crime in general—remains at such a low ebb, nothing will be done," one man said.

A police official said the police court should be the first to dish out stronger punishment for fights where knives were involved. He strongly recommended the maximum sentence for conviction on a knife or ice pick fight.

Chief of Police G. J. Ruppenthal stemmed a rumor, prevalent among Negroes it seems, that some of Montgomery's policemen are afraid of "tough" Negroes.

"I'll admit the police force today is not like it used to be," Chief Ruppenthal said, and went on to explain that an officer cannot under the law which he represents, strike, shoot or use other force on someone he is arresting unless it is necessary.

"An officer is to use force against force," he said. "He has the right to use whatever force is necessary to defend himself, of course, if he is attacked."

Take Him Off Force

"Only in the case of a felony," Ruppenthal declared, "Can a man be shot for resisting arrest." (Should he run, etc.)

"If I had a man that would back up or show cowardice, I would take him off the force," Ruppenthal said.

He said a training program is conducted for Montgomery City Policemen to train them in tactics of arrest.

"They are taught to be humane," the police chief said.

Everything from lack of education to just plain orneriness has been blamed for the Negro crime rate here.

Meanwhile, the crime rate continues seemingly unabated.

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4 Knife Fights By Negroes Reported Here

A wave of cuttings among Negro people of this city kept Montgomery police busy Saturday.

No less than four knife fights were reported yesterday, all involving Negroes.

Janie Thomas, 22, Negro, 543 Nicrosi, was severely injured early Friday when she was stabbed at her home. James Boyd, alias James Thomas, Negro, of the same address, is being held in city jail pending the outcome of the woman's injuries.

The woman is being treated for her injuries at Oak Street Hospital. Authorities there reported she had a deep wound inflicted in her left shoulder.

Susie Glinn, Negro, 938 N. McDonough, is also receiving treatment at Oak Street Hospital for injuries received in a knife fight.

She told investigating officers that she was cut on the right leg and chest by Hattie Mae Hatchett, Negro, while she was being held by two other colored women, Rubbie Douglas and Bliza Filmore. All three of the women are now in jail.

An unidentified Negro man attacked Wilson Hawkins, Negro, 107 Erskine St., yesterday and after cutting him about the head and shoulders also stole his billfold. Hawkins, undergoing treatment at a local hospital, told authorities that he did not know the man who attacked him at 837 High Street.

Clarence Cleveland, 20-year-old Negro of 1430 Mobile, was cut on the left arm and left side of face in an altercation with Charlie Forster, Old Hayneville Road early yesterday.

One minor burglary was reported in the city yesterday. S. T. Crittenden, owner of Crittenden Taylor Shop, reported that his business establishment at 24 1-2 N. Perry was entered sometime Friday night and approximately $21 in merchandise was stolen.

Entry was made after the glass on the front door had been knocked out.

Howard Rader, Hill Top Arms Apartments, reported to police yesterday that his automobile was stolen while parked near the Press and Radio Club.

Rader described the vehicle as a 1952 Pontiac, green body and cream top, license tag 3-8504.

James White, 39-year-old Negro, is in city jail today charged with disorderly conduct and resisting arrest.

City policemen R. M. Hammonds and J. C. Roberts reported that they saw White shaking the front door of the B. & H. Grocery and Market at Holt and Day Sts., yesterday. When they asked him what he was doing, he attempted to strike the officers but was quickly subdued.

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Judge Throws Out Negro's Indictment In Burglary Case

SELMA, Ala., Oct. 9 (AP)—Circuit Judge W. E. Callen today threw out a burglary indictment against a convicted Negro rapist and dismissed a jury called for his trial.

Callen upheld amended motions by attorneys for William Earl Fikes alleging irregularities in drawing of Dallas County jury lists. His ruling followed a tedious five-day hearing during which witnesses examined jury rolls for the last 22 years.

Circuit Solicitor James Hare said a new grand jury would be empanelled to re-indict Fikes, and a new jury venire drawn for his trial. He said the trial probably would be set for the week of Dec. 7.

Fikes, a former Marion, Ala., filling station attendant, was indicted for nighttime burglary, which carries a maximum penalty of death on conviction.

He was convicted of raping a young housewife and sentenced to 99 years in prison in a trial last June. Police said he admitted a series of nighttime raids which terrorized Selma women.

Two Birmingham Negro attorneys for the National Association for Advancement of Colored People first asked Judge Callen to quash the indictment on the grounds that Negroes were systematically excluded from jury duty in the county.

Today they amended their complaint to allege irregularities in the drawing of a jury venire that heard the rape trial last June.

Numerous jurors in the jury box who were called for duty at that time did not appear on the jury rolls, according to the new allegation.

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Ala.
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Sat. 10-10-53

Jury Charged To Investigate Negro Murders

13-21

Judge Carter Urges CrackdownOnCarrying Of Pistols And Knives

Circuit Judge Eugene Carter sternly charged the Montgomery County grand jury yesterday to crack down hard on "useless murders" among Negroes here.

Advertiser

"Strong punitive action" against carrying concealed weapons "would eliminate a lot of these useless murders," Judge Carter told the 18-man panel.

P. 1

A series of articles on the high rate of killings among Negroes here, telling the knife and pistol carrying among them, and their frequent light punishment appeared in ~~The~~ Advertiser in August ~~[illegible] Don McKee~~ staff reporter.

Montgomery Ala.

Judge Carter told the grand jury in his charge:

"The responsible members of our Negro community themselves have protested vigorously the sometimes light and careless treatment which juries have given to cases involving violence between members of their races.

"If this grand jury will take strong punitive action against the people involved in cases where colored people are accused of carrying concealed weapons like a pistol or switch blade knife, I think we can eliminate a lot of these useless murders," he said.

Jan 1-13-53

During his 19 years on the bench, Judge Carter said, there have been "case after case where nobody would have got killed if the other fellow hadn't been carrying a pistol or a knife he didn't have business carrying."

Professional Gambling Cited

"The day of the professional gambler in Montgomery is over," the judge said.

"Gambling dens are a sore on any city. We got rid of the slot machines, and I charge this grand jury to serve notice that we don't want the professional gambler in our county."

Judge Carter said he believes there is little the grand jury can accomplish toward solving Montgomery County's traffic problem, unless the panel could "arrange to change the models of drivers like they change the models of cars."

The voting machines, now being used in city elections, were called the "greatest help I know" by Judge Carter in eliminating the possibility of fraud, keeping the elections clean and the ballots secret.

Casting ballots without machines was "reminiscent of the horse and buggy days," Judge Carter said.

Selma Burglar To Die March 5

SELMA, Dec. 10 (AP)—A 28-year-old Negro filling station attendant today was formally sentenced to death for nighttime burglary of a Selma home.

Post Herald

Circuit Judge W. E. Callen directed that William Earl Fikes die in the electric chair next March 5. The execution is stayed automatically, however, pending review of the case by the Alabama Supreme Court.

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B'ham Ala.

An all-white jury convicted Fikes last night on the burglary charge after deliberating about 40 minutes. He had been charged with breaking into the home of Mrs. Jean ~~Heinz~~ Rockwell, daughter of Selma Mayor Chris Heinz.

12-11-53

Fikes was defended by Peter A. Hall and Orzell Billingsley Jr., Birmingham Negro attorneys representing the National Association for Advancement of Colored people.

Man Gets Death Sentence For Burglary Of Empty House

World

SELMA, Ala—(I N S)—A Selma Jury tonight delivered a death sentence against a 28-year-old man whose first degree burglary trial has been the center of a controversy over discrimination against Negro jurors.

13-46

Atlanta, Ga.

The all-white Dallas County Circuit Court Jury returned a verdict of guilty against William E. Fikes, who was accused of night-time burglary of an occupied residence, a crime punishable in Alabama by death in the electric chair.

Fri. 12-11-53

Fikes previously had been convicted of criminal assault of a white Selma housewife and had been sentenced to a 99-year prison term.

The burglary charge against him was for breaking into the residence of Mrs. Jean Rockwell at Selma last April.

The trial was the center of arguments over whether Dallas County deliberately excluded Negroes from Jury panels. One indictment against Fikes was quashed on this count, but a second Grand Jury indictment went to trial Monday.

P. 1

The veniremen from among whom Fikes' Jury finally was chosen on Monday included eight Negroes, but seven of these were struck on motions by the prosecution and one by the defense.

Dynamite Explosion Damages Dam Of Anti-Vice Leader

Advertiser

SEALE, Ala. (AP) — A dynamite blast early today damaged the floodway of a private dam on a lake here owned by Dr. R. B. McCann, prominent Seale and Hurtsboro physician, who is a director of the anti-vice Russell County Betterment Association.

Dr. McCann said the explosion "undoubtedly was a big load" because it awoke many sleeping citizens between midnight and 1 a. m. today.

Jan. 1-3-53

The physician told the Columbus, Ga., Ledger he used the lake commercially, renting boating and fishing privileges to the public.

"If the dynamite had been buried three feet deeper it would have caused me between $4.000 and $5,000 damages," Dr. McCann said.

The doctor said he found 30 feet of fuse which was used to touch off the dynamite. He explained that the blast cracked part of a 40-foot concrete floodway but apparently did not cause any great damage.

Montgomery, Ala.

Dr. McCann, who actively participated in the RBA's fight against organized gambling and other criminal elements in Russell County, said he received threats indirectly within the past month through acquaintances.

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Dr. McCann pointed out similar cases involving persons connected with the RBA, including the bombing of President Hugh Bentley's home a year ago, the attempted burning of FBA attorney A. L. Patterson's office in Phenix City and the burning of Opelika attorney Robert Brown's home. Brown is representing the RBA in impeachment proceedings against Russell County Sheriff H. Ralph Mathews Jr. for neglect of duty.

Negro Is Bound To Grand Jury In Assault Case

13 Ala

Willie Bogan, Negro, was bound over to the grand jury yesterday on the charge of assault with intent to murder, and bond was set at $300, according to City Recorder John B. Scott.

Advertiser

Probable cause to hold Bogan, accused of assaulting a white grocer, Dewey H. Farmer, 1729 S. Holt St., with a pocket knife, was found by the court following a hearing yesterday.

It was brought out in testimony that Bogan cut Farmer on the fore-head with a knife after an argument about a purchase by Bogan.

Montgomery, Ala.

The defendant was accused by witnesses of using profane and offensive language and when Farmer ordered him to leave the store, refusing to do so.

Patrolmen H. L. Golden and F. B. Day made the arrest, and Detectives R. C. Houlton and S. E. Sellers investigated the case.

The court also bound Frank Tolliver, Negro, to the grand jury under $300 bond on a forgery charge. Tolliver admitted he forged a check for $55.10.

Judge Scott freed David K. Davis, Negro, charged with the theft of an automobile. Davis admitted taking the car, but explained that he took it by mistake. He had permission from a friend to take his car; and when he went to the vehicle, he got into the wrong car, he said.

Jan. 1-6-53

The court fined an airmen, William P. Varden, $25 and costs on a reckless driving conviction. The defendant admitted he struck a parked car, and said the lights from an approaching vehicle blinded him for a moment.

Police today were investigating a burglary at Smith Motor Co., 514 Bibb St., where someone last night pried the front off a drink vending box. The burglar gained nothing, as he failed to get the money box from the machine, police said.

Mrs. Gus Warren, 2015 Yancey Ave., this morning reported the loss of a purse containing between $200 and $300.

Sheriff Says Pair Admit Blasting Dam

PHENIX CITY, Ala., Jan. 3 (AP) —Two men are in Russell County jail today after admitting they took part in the Thursday night dynamite blast of a dam belonging to a director of the anti-vice Russell Betterment Association, Sheriff H. Ralph Mathews reported.

Advertiser

A third man is being sought in connection with the blast while one of those in jail is awaiting questioning in connection with the blast that wrecked the home of ex-RBA President Hugh Bentley and nearly snuffed out the lives of his wife, his son, Hughbo, and a visiting cousin.

Mathews identified the men as John Thomas (Tommie) Capps, 39, and Billy Kent, 28, both of Phenix City.

Both Capps and Kent admitted their parts in the dynamiting which tore a hole in the top of a dirt and concrete dam owned by Dr. R. B. McCann, prominent Seale, Hurtsboro, and Alabama physician.

Jan. 1-4-53

Capps has denied any knowledge of the Bentley bombing.

Both Capps and Kent said they did not know the dam belonged to Dr. McCann and did it to scare some Negroes who had reportedly thrown firecrackers at their truck, Mathews said.

Capps said he set off two sticks of dynamite which he claimed he found recently in a sawdust pile about five or six miles from Phenix City on the Sandfort road while hunting, according to the sheriff.

Kent told the sheriff he was with Capps at the time of the dynamiting but thought Capps was going to set off some torpedo-like fireworks, Mathews said.

The sheriff said he had questioned Capps and Kent in connection with other acts of violence in Phenix City and Opelika, which nearly burned the office of an RBA attorney in Phenix City and which destroyed by fire the Opelika home of a lawyer handling the RBA impeachment proceedings against Mathews, charged with neglect of duty.

Mathews said he would further question Capps in the Bentley bombing. Mathews had particular reference to a mysterious classified advertisement which appeared in the Columbus, Ga., Ledger last Feb. 14. He said the ad he referred to read as follows:

"Attention: HRM, J. H., H. B., G. P., A.S.I. Capps as bombardier and pilot, Fuller as instructor & Ferrell as undercover, Jowers also, Golden knows."

The sheriff said at the time he took the "H.R.M." to be his own initials.

His interpretation of the other initials, he said, was as follows: J. H. (Russell Circuit Judge J. B. Hicks); H. B. (Hugh Bentley and Hugh Britton, both top RBA leaders at the time); G. P. as Gordon Persons, Alabama governor; and A.S.I. as Alabama special investigators who probed the act of violence.

Mathews said Capps had a past criminal record and has "spent some time" in the Alabama state penitentiary. Kent, he said, had no previous criminal record, as he knows of.

Phenix City Pair Held in Blasting Of Private Dam

Constitution

PHENIX CITY, Ala., Jan 2—(AP). Two Phenix City men were arrested here today in the early morning dynamiting of a dam on a private lake in Seale, Ala., owned by Dr. R. B. McCann, prominent physician and Russell Betterment Association director, Sheriff H. Ralph Mathews reported tonight.

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A third man is being sought, the sheriff added.

Jan. 1-3-53

Arrested were John Thomas (Tommy) Capps, 39, and Billy Kent, 28, both of Phenix City. The third man, the sheriff said, is believed to have left town and a pickup order has been issued for him.

Atlanta, Ga.

Both Capps and Kent admitted parts in the dynamiting, which took place between midnight and 1 a. m. today, but said they did not know who owned the dam, the sheriff said.

The men told officers they set off the explosion to scare some Negroes who had been shooting firecrackers there, Sheriff Mathews said.

Anti-vice leader's lake dam blasted

SEALE, Ala., Jan. 2—(AP)—A dynamite blast early today damaged the floodway of a private dam on a lake here owned by Dr. R. B. McCann, who is a director of the Anti-Vice Russell County Betterment Association.

News

The physician told The Columbus, Ga., Ledger he used the lake commercially, renting boats and fishing privileges to the public.

"If the dynamite had been buried three feet deeper it would have caused me between $4000 and $5000 damages," Dr. McCann said.

13 Ala

The blast cracked part of a 40-foot concrete floodway, but apparently did not cause any great damage.

Birmingham, Ala.

Dr. McCann, who actively participated in the fight against organized gambling and other criminal elements in Russell County, said he received threats indirectly within the past month through acquaintances.

Dr. McCann pointed out similar cases involving persons connected with the RBA, including the bombing of President Hugh Bentley's home a year ago; the attempted burning of RBA Atty. A. L. Patterson's office in Phenix City and the burning Opelika Atty. Roberts Brown's home. Brown is representing the RBA in impeachment proceedings against Russell County Sheriff H. Ralph Mathews Jr., for neglect of duty.

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FREED IN DAM BLASTING

Third Man Is Out On Bond In Alabama Case

Commercial Appeal

PHENIX CITY, Ala., Jan. 15.—(UP)—One of three men charged with dynamiting a dam owned by a Russell County anti-vice leader was released on $5,000 bond day after a habeas corpus hearing.

13 Ala

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Circuit Judge J. B. Hicks released J. T. 'Tommie' Capps but Capps will face grand jury action later along with Bill Kent and William Earl Baker, who were freed on $1,000 bond last Monday.

Memphis, Tenn.

Capps, who was jailed Jan. 2, admitted blasting a dam belonging to Dr. R. R. McCann, director of the anti-vice Russell County Betterment Association, County Sheriff H. Ralph Matthews Jr., said.

Jan. 1-16-53

Matthews said Kent and Baker also confessed

Talladega Senior Held For Robbery

13 Ala

TALLADEGA, Ala. — Samuel James Cullen, 21-year-old senior at Talladega college, was freed last week on $1,000 bond after being formally charged with second degree burglary.

The Houston, Texas, youth, according to police, has confessed breaking into a service station and stealing $1.20 in pennies and 40 packages of cigarettes. A police spokesman said the youth would appear before a grand jury this week.

P. 1

Police officers Clarence Barber and James Shadrick said the student told them, "I just had an impulse and wanted to see how it felt to break into a place." They said Cullen smashed a window in the rear of the station and climbed in.

Negro Gets 99-Year Term In Robbery Of 1-Armed Man

13 1/4

By JAMES LANHAM

Advertiser

June 3-53

Montgomery Ala.

Edgar Earle Dudley, 19-year-old LaPine Negro, was sentenced to 99 years in Kilby Prison here yesterday as a Circuit Court jury convicted him of robbing and stabbing a one-armed veteran of World War II.

The jury returned the verdict after an hour and 30 minutes deliberation.

Dudley was charged with stabbing and robbing Joe McCullough, 25, of Hope Hull in the early morning hours of Feb. 1, near LaPine.

McCullough said he had fallen asleep on a roadside near his home, after taking a short walk to "shake off" the effects of beer which he had drunk during the night.

He was awakened by a stab in the back, McCullough said, and a Negro youth "was sitting astride me." When he tried to throw the Negro, identified as Dudley, from him, he was stabbed again under the left arm, McCullough testified.

P. 1

The witness told of Dudley attempting to force him into a perverted sexual act.

"When I resisted he stabbed me again," McCullough stated. "Then he took my bill-fold and stuck me again."

McCullough said he was stabbed four times; once in the back, once in the side, and twice in the chest.

Five other witnesses, three of them companions of Dudley on the robbery night, told similar versions of the crime.

M. D. Williams, 16, Negro, of Highland Home said he was with Dudley on the night of the robbery and stabbing.

"We saw this man lying on the side of the road," Williams said, "but when I saw he was a white man, I took off."

Advertiser

Williams said "I had gone only a few steps when I heard the white man cry out."

"I looked back and saw "Shug" (Dudley) raise his knife into the air and strike the man," he went on.

Williams said he went to his home and a few minutes later admitted another companion of Dudley's into the house.

This companion, identified as Tommy Lyre Bloodson, later said Dudley came to the house and said he had killed a "white man." He also cursed the man.

June 3, 53

Dudley took the stand as only defense witness. He admitted that he stabbed McCullough and robbed him of nine dollars.

"I didn't try to force him into a sex act," he swore upon cross examination.

Dudley claimed he was drunk. The defense attorney, Lomax Crum, stressed this part of the defendant's testimony.

In summing up the case, Assistant Solicitor Robert Stewart asked for the death penalty.

"Such acts as this must not be permitted in Montgomery County," he stated.

As the jury was recessed, the trial of Tommy Lyre Bloodson, in a companion case to the Dudley trial, was begun with another jury panel.

Shortly after the Bloodson case was started, the jury brought a verdict of guilty against Dudley. Bloodson was freed in the case, after a trial lasting about two hours. Judge Walter B. Jones presided in both cases.

Negroes Get Life For Taking Car, $3

Advertiser

BIRMINGHAM, March 3 (AP)—Two Negro youths were given life sentences today for taking a car and $3.00 from a Birmingham man in 1950.

P. 1 B

A circuit court jury set the penalties after Oscar Roberson, 18, and Henry Edward Loury, 19, pleaded guilty.

Montgomery Ala.

The two already are serving 30-year federal sentences for kidnapping the man, Joe McDevitt.

McDevitt was held up and kidnapped in a downtown parking lot Feb. 27, 1950. He was tied up on the floor of his car and taken to Kentucky. The car was wrecked 12 miles south of Elizabethtown, Ky.

Wed. 3-4-53

McDevitt was injured.

Suspect Held In Policeman Attack and 7 Robberies

Post

Detective Getting Headache Powder Nabs Long-Sought Man in Drugstore

Because a detective had a headache yesterday morning, police caught up with a bandit suspect who had been giving the law a headache since last year.

Washington D.C.

Arrested and charged with seven holdups or attempted holdups, and assault with intent to kill, was Eugene Eric Epps, 25. Police said he shot Police Pvt. Joseph H. Rhodes during a holdup last month.

P. 1

He was recognized by Precinct Detective Herman A. Payne in a Northwest drug store yesterday. Payne went into the store to get a headache powder.

As the detective waited for the druggist to mix the potion, he glanced around and his eye fell on Epps. Payne, with three other robbery squad detectives, had been hunting Epps for weeks.

Pictures of Epps, who has a previous record for housebreaking, had been identified by several holdup victims and by Rhodes.

Payne arrested Epps, told the druggist to telephone for the police patrol, and took his prisoner out on the street in front of the store at 1110 7th st. nw. Suddenly Epps stunned Payne with a blow to the head, and ran.

Payne gave chase and caught him in a nearby building where he was attempting to dispose of a quantity of jewelry, later identified as part of the loot in one of the holdups.

At police headquarters, police said, the suspect admitted taking part in seven holdups or attempted holdups, and confessed he was the bandit who shot Rhodes.

Later, confronted by Rhodes, Epps said "I am really sorry I shot you. I felt badly about it but it was my only way out and I had to start shooting."

Rhodes walked into The National Truck Rental Co., 2316 Georgia ave. nw., during a $103 robbery on February 14 and was shot in the face by the bandit.

Epps, who would not give police his address, has admitted the crime spree which started during the Christmas season but will not give the names of his accomplices in some of the robberies, police said.

He was charged with robbery in the following cases:

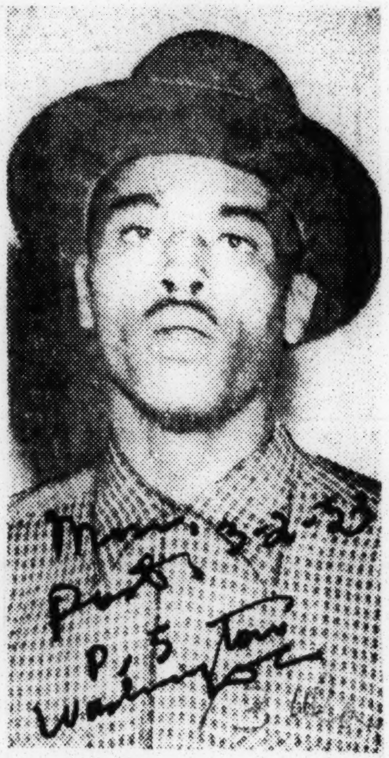
The December 24 holdup of the Myrtleo Bell Realty Co., 1323 9th st. nw., where two bandits got between $300 and $500.

Post

The January 3 holdup of the Lucky Liquor Store, 1218 4th st. nw., where two bandits got $500.

Washington D.C.

The January 26 holdup of the B. Leonard Realty Co., 522 4th st. sw., where two bandits got $2000.



Mon. 3-2-53

Post, P. 5

Washington

EUGENE ERIC EPPS

. . . "sorry I shot you"

The February 3 holdup of the Benjo Liquor Store, 1309 9th st. nw., where a lone bandit got $491.

Mon 3-2-53

The February 20 holdup of Miller's Pawnbrokers Exchange, 1415½ H st. ne., where two bandits got $210 in cash and $1700 in jewelry. James Yates, 23, of 28 N st. nw., who was arrested a short time after that crime, has also been charged with robbery.

In the February 27 attempted holdup of the Jo-Mar Dress Shop, 1241 U st. nw., when the manager, Robert H. Thompson, 44, was slugged as he jumped a lone bandit, Epps has been charged with assault and attempted robbery.

Other victims of recent holdups visited headquarters last night to see if they could identify Epps as the man who robbed them.

Daughter Of Mayor Drives Off Negro Attacker In Selma

Advertiser

SELMA, Ala., April 25 (AP)—Mrs. Al Rockwell, 25-year-old daughter of Selma's mayor, seized a knife from a Negro attacker in her home last night to save herself from his advances.

P. 1

Police Chief Ed Mullins said Mrs. Rockwell's description of the Negro fitted that of a man sought for an attack on a young white woman here March 18.

Montgomery Ala.

Mrs. Rockwell is the former Jean Heinz, daughter of Mayor Chris Heinz.

She said she was asleep when the intruder came into her bedroom. He threatened her with the knife, saying he would kill her if she screamed.

Sun. 4-26-53

She fought him off, and later managed to take the knife from him and chase him away. A heavy rainstorm was in progress at the time, drowning out her screams for help.

Mullins said the Negro picked up the knife in Mrs. Rockwell's kitchen. She was not hurt.

Police Hunt Negro Burglar

Advertiser

Wallet, Watch Stolen, , Woman Choked Here

P. 1

An unidentified Negro who broke into a residence here Friday night was the object of an intensive search last night by Montgomery police officers.

Montgomery

Mrs. C. C. Dulaney, 1208 S. Hull St., was awakened shortly after midnight Friday when the Negro entered her bedroom.

Ala.

When she attempted to call for help, the Negro choked her with one of her own leather belts, then struck her on the forehead with his fist. He then ransacked the bureau and dresser drawers and made off with a wallet containing $50 and a watch.

Sun. 9-27-53

Detective Captain Lewis Miller reported last night that the wallet and watch were both found in the yard of Mrs. Dulaney's home, but that the money had been taken from the wallet. He added that as yet no new leads had been reported in the case.

Breaking and entering an occupied house at night is a capital offense in Alabama. Mrs. Dulaney was reported uninjured.

Robert Lee Brown, Negro, yesterday was arrested on a charge of assault with intent to murder following an altercation Friday night at High and Jackson Streets with Theo C. Brown, Negro.

Brown was taken to Fraternal Hospital, where authorities there reported he suffered severe knife wounds in the fight.

James L. Goyer Jr., Birmingham, told police yesterday that his pocket was picked Friday night at the Auburn-Stetson football game. Miss was his wallet, containing $42.

13 1953

ALABAMA

Woman Beaten, Arrested; Faces Several Charges

13 ala

Mrs. Evelyn Thomas, 46, who gave her address as Cleveland, Ohio and was alegedly sevelely beaten near one of the Birmingham train terminals Monday night, was returned to City Jail after failing to pay fines amounting to $60 following her trial in City Recorder's Court, Tuesday afternoon, on combined charges of drunkenness and disorderly conduct and allegedly resisting arrest.

Judge Ralph E. Parker tried her on the charges and meted the fines, reports indicate.

Talk around the circles, based on reports from an eye-witness, have it that Mrs. Thomas was allegedly beaten by a special agent of a railroad company, Monday night, shortly after she got off a train which had just arrived in Birmingham from the east, it was learned.

Ari.

5-8-53

The victim-defendant was taken to Hillman Hospital's emergency ward, treated for facial wounds and removed to City Jail around 10:30 Monday night. She reportedly once resided in Birmingham before moving east and reportedly still has relatives here.

Dynamite rocks bridge site as two men flee

P. I.

Faulty dynamite today was credited with saving two persons from possible injury and a dragline from destruction in a Shelby County blast.

The dynamite was tossed under the dragline at the Shelby County end of the 470-foot new bridge being built over the Cahaba River as part of the new four-lane Birmingham-Montgomery-hwy.

Two unidentified men were seen hurrying away from the dragline just before a loud blast shook the area Sunday afternoon.

State Investigator Ben Allen said the two men apparently threw a number of sticks of dynamite under the new $15,000 dragline. Only a small portion of the explosive went off, he said. The blast blew six pieces of unexploded dynamite away from the dragline within a 15-foot area.

Mon.

5-18-53

L. A. MILLER, a nightwatchman at the bridge, and his wife were less than 50 yards from the dragline on their way to investigate the two men when the explosion occurred. Neither was injured.

The dragline is owned by the G. W. Norrell Construction Co., Georgiana. The company was working only on the bridge.

J. A. Norrell, Helena Rt. 1, son of the company's owner, said the company has had no labor trouble. He said no one has approached the company about hiring union help. Norrell said some of his employes had been questioned during the past week by unidentified persons who asked if "steel workers" were being employed to handle the heavy steel on the bridge.

R. D. Jordan, Birmingham division engineer for the State Highway Department, said today he had just returned from a vacation and was not "fully up to date" on any possible labor troubles involving bridge work.

He said the road construction company has been picketed for several months, but before he left the city he had not heard of any dispute involving the Norrell company.

News

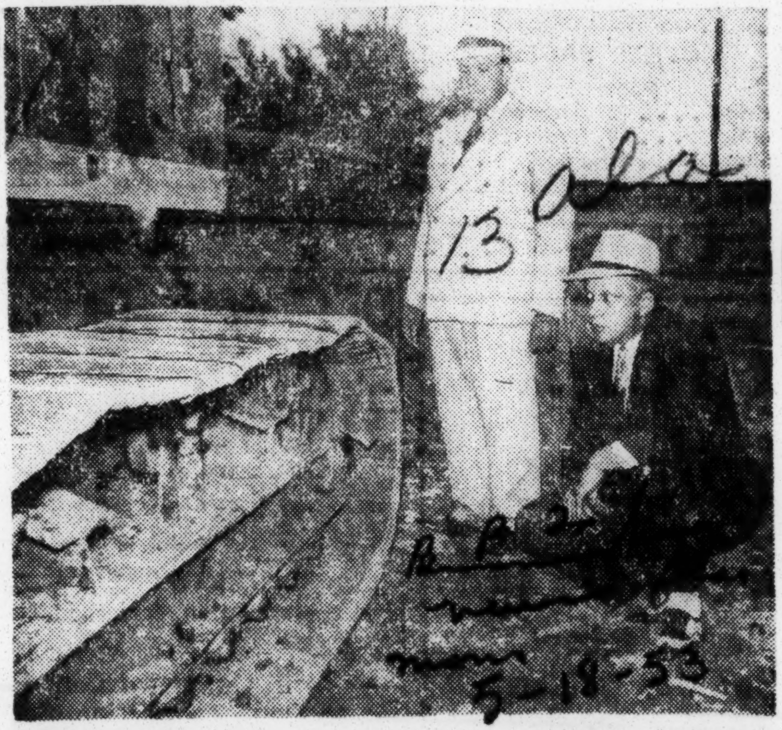
THE BLAST CAUSED only minor damage to the dragline. The force of the explosion apparently ripped upward through holes in the bottom of the machine. Glass windows were blown out, and a side of the machine was bulged slightly, but there was no other apparent damage.

5-18-53

Miller said he and his wife had started walking across the partially finished bridge to investigate the two men at the dragline, but turned around because his wife did not think she could make it. He said the couple crossed the river on a small wooden bridge below the new one and were approaching the dragline when the explosion went off.

He said there was a "terrific boom" when the dynamite blew up "but we were more scared than hurt."

Just before the explosion, Miller said, the two unidentified men ran to a car and left the area "going as fast as they could."



Inspect blast scene—L. B. Sullivan, director, Alabama Department of Public Safety, kneels to inspect damage caused by a dynamite blast at a Shelby County construction job. Lt. Joe Smelley, chief state investigator, looks over the scene with him. Both arrived shortly after explosives were set off under a dragline Sunday.

Ohio Woman Beaten In Alabama Station

BIRMINGHAM, Ala.—Mrs. Evelyn Thomas, 46-year-old Cleveland, Ohio woman was fined $60 and jailed here following an alleged run-in with a special railroad agent.

The passenger arrived in Birmingham via the Louisville & Nashville Railroad around 8:30 P. M. Monday, May 4.

Reportedly in an intoxicated condition she is said to have been hit several times with a blackjack by the railroad agent and then turned over to city police. Eyewitnesses claim that the licks drew blood from the victim.

P. 3

TUESDAY MRS. Thomas appeared before City Judge Ralph E. Parker on charges of drunkenness, disorderly conduct and resisting arrest.

Sat

5-23-53

She was found guilty and when she could not pay her fine sent back to City Jail.

The victim-defendant after allegedly being beaten by the agent was first taken to Jefferson-Hillman Hospital and treated for facial wounds.

Mrs. Thomas is said to be a formger resident of Birmingham.

Berserk Man Slain After Alabama Row

SELMA, Ala. —(INS)— A 38-year-old man, father of two small children, apparently went berserk Wednesday in Selma, and was shot to death after stabbing a neighbor and a police officer.

Officers R. F. Poole and Bill Turner went to the home of Sylvester Hodby to investigate a complaint there Wednesday morning.

P. 1

The patrolman found Hodby had chased his wife and children from the house, and and had stabbed Mose Derico, the neighbor who had tried to calm him. Derico's cut was described as superficial.

The officers said they called on Hodby to surrender, but that he advanced on them with a knife, ignoring warning shots fired into the ground.

The Negro, stabbed Turner, inflicting a slight wound in his arm, and both officers then fired, killing Hodby on the spot.

Police headquarters said they so far had no evidence of whether Hodby had been drinking, but that a coroner's investigation would be held to determine that point.

Cleveland Woman Beaten, Jailed For Disorderly Conduct

BIRMINGHAM, Ala. — (ANP) —Mrs. Evelyn Thomas, 46, who gave her address as Cleveland, O., and who claims she was severly beaten near one of the Birmingham train terminals, is in City jail because she did not pay fines amounting to $60 following her trial in City Recorder's Court, on combined charges of drunkenness and disorderly conduct and resisting arrest.

Black

Judge Ralph E. Parker tried her, and meted the fines.

Talk around the circles, based on reports from eye-witnesses, have it that Mrs. Thomas was beaten by a special agent of a railroad company shortly after she got off a train which had just arrived in Birmingham from the east.

Sat. 5-23-53

The victim-defendant was taken to Hillman hospital's emergency ward, treated for facial wounds and removed to City Jail around 10:30 Monday night. She reportedly once resided in Birmingham before moving east and reportedly still has relatives here.

World P1
Birmingham World
Tues. 7-7-53

(An Editorial)

25 Slayings In Six Months

Birmingham has had 25 slayings of Negro citizens, 24 by members of their racial group during the first half of 1953. Eleven of these killings have been in the last 33 days. Fifteen were shot to death and 11 others were stabbed victims.

Three of these life-takings are unsolved and three others were ruled justifable. Motives are not here listed. What disposition was made of those other 19 homicides is unfinished research.

Many of these homicides resulted from things which could be regarded as trivial.

1953 Homicides In Birmingham

	VICTIMS	AGE	DATE	HOW	DEFENDANT
1.	William Henry Malone 1324 No. 3rd St.	38	2-2-53	Shot	Willie Joe Taylor, 25 1538 No. 29th Avenue
2.	Herbert Nelson Stone 2200 Stout Road, city	46	2-3-53	Shot	Unknown (Unsolved)
3.	Monroe Hollomon 209 South 24th Street	38	2-15-53	Stabbed	Frank Brewster, 24 121-A So. 26th St.
4.	Mrs. Dorothy Sanders Rte. 7, Box 225, city	23	2-27-53	Shot	Joe Sanders, husband same address
5.	Lewis Gilmer, 825 Short No. 15th Street	43	2-27-53	Shot	Selma North, 44 823 Short No. 15th St.
6.	James Earley III 4233 No. 43rd Avenue	18	3-31-53	Shot	Columbus Sims, 16 1303 Cahaba St. (Bound Over To Grand Jury)
7.	John Henry Derricho 1423½ No. 6th Avenue	35	3-29-53	Shot	Eddie Nevels, 18 302 So. 29th St.
8.	Fred Hawkins 2209 No. 22nd Avenue	47	4-4-53	Shot	*J. J. Bruno, white* 1831 No. 24th Ave. (Justifiable)
9.	Earnest Hill	33	4-4-53	Stabbed	Willie Lee Young, 41 603 So. 6th St.
10.	Roman Mapson 1425 Sipsey Street	39	4-4-53	Stabbed	Miss Virgie Hall, 39 1421 Tombigbee St.
11.	Edward Thompson 420 Avenue E., Pratt City	31	4-11-53	Stabbed	Unknown (Unsolved)
12.	Frank Jackson 426 No. 9th Court	47	4-26-53	Shot	Mrs. Daisy Jackson, 40, wife, same address (Justifiable ??)
13.	Moton Odom 3505 Maple Ave., Powderly	52	5-3-53	Shot	Ulysses Jones, 45 3632 Pine Ave., Riley Stat.
14.	Charles E. Underwood, Jr. 434 No. 10th Avenue	17	5-1-53	Stabbed	Lewis Hornsby, 17
15.	John Lewis Brown 508 No. 11th Street	—	5-24-53	Shot	Mrs. Christine McKnight, 45 common-law wife
16.	L. V. Bennett 712 No. 24th Street	—	6-6-53	Stabbed	Willie Barnsfield, 2228 No. 11th Alley
17.	Mrs. Julia Jane Franklin 304-A So. Gamma Street	19	6-4-53	Shot	Sam Franklin, Jr. 24, husband
18.	Mrs. Earline King 518 No. 8th Alley	33	6-9-53	Stabbed	James A. King, 34, husband
19.	Mrs. Lizzie Ramsey 1308 So. 8th Court	25	6-7-53	Stabbed	Mrs. Carrie Lee - Hampton, 30 1703 So. 13th Ct.
20.	Charlie (Sonny) Collins 1615 No. 9th Avenue	21	6-17-53	Shot	Frank Foreman, 21 719 No. 14th St.
21.	James Grace, 2016 Powderly Ave., Powderly	25	6-20-53	Shot	Emmett Turner, 43 1872 Francis Ave. Powderly, (Justifiable)
22.	Willie Johnson 1409 No. 5th Avenue	44	6-27-53	Stabbed	Unknown (Unsolved)
23.	Charlie Cornelius 1114 North 4th Avenue	32	6-28-53	Stabbed	William Dunning, 39 same address
24.	Mrs. Lillie B. Gresham 2112 Dawson Avenue, Powderly	46	7-1-53	Shot	Will Brown, of Lynch, Ky.
25.	Sam Dunham Route 7, Box 26, City	—	7-3-53	Shot	Mrs. Mary Lanier, 35 3058 No. 33rd Avenue

13 Ala

13 1953

ALABAMA

Even Judge Is Victim—

Macon Sheriff Finds 'Flim-Flamming' Old As Adam But Still Poopular Dupe

This is the second in a series of authentic articles from the files and memory of Alabama sheriffs.

By A. P. HORNSBY
Sheriff of Macon County
As Told To
STUART X. STEPHENSON

TUSKEGEE, Ala., Aug. 15—It is probably true that "flim-flamming" has been going on since mankind began swapping and stealing things.

Small-time "flim-flamming" has been more or less routine in Macon County and we try to run down as much evidence as possible, but some of these thefts are so well planned that even the victim is too dumbfounded to make his report until it is far too late.

The biggest haul around here was for $2,000, a fortune for an honest Negro. who made one little mistake of telling a white lie to the banker when he drew out this money. If Judge Story, the victim, had indicated that he was "dealing with a man about splitting some money they found," the jig would have most likely been up.

Instead, Story told the banker he wanted the money "to buy a car."

The treachery was well planned No doubt about that, and ironically enough, Story actually was in Tuskegee on the day of the big steal because he was trying to help a fellow citizen who was in a little trouble.

As he walked down the main street here, an automobile passed and out of the window "flew" a package. Judge reached down, picked up the fat envelope and as he came up with this envelope which contained a "fortune" there was another hand on the envelope.

It was a case of two people finding something at the same time and each expecting his share. There it was—a gleaming stack of fresh "money." There were "thousands of dollars" to be divided.

Here the plot thickened. "We ought to divide this money," the culprit said to Story, "but we might get into trouble if we don't handle it right." That righteous suggestion impressed Judge. And, conveniently enough, the "flammer said he "knew" a man who would tell them exactly what to do.

The "man" was M. Scott, a Tuskegee merchant, whose name the "flammer" had seen but didn't know at all. Judge Story waited as the scheming thief pretended to get the right information from the white man.

A. P. HORNSBY

And the "flammer" returned, flushed with a good story that "Mr. Scott said it would be all right for us to divide the money we found, but just in case anything ever came of this we'd better put up $2,000 each to protect us."

Judge Story thought that was fair enough. He had $2,200 in the bank, life insurance he had recently been paid after the death of his brother.

And Judge quickly withdrew the entire amount, handed $2,000 over to the "flammer" who was to take it to Mr. Scott. The "flammer" started out in the direction of Mr. Scott's store—as Story began visualizing what riches meant on this his lucky day.

Two hours passed, three hours passed, four hours passed! Judge Story was still waiting. He couldn't even give a fair description of the flam thief when he finally decided to call the sheriff's office and pour out his tale of woe.

It was a tough break for a really god Negro.

Most of the people in Macon County know by now, though, that it doesn't pay to listen too intently to any money talk when a stranger is doing the talking.

Our information is that a white man was driving the car from which the counterfeit bait was tossed. He'll make a false step sooner or later.

It may bave been his first "flim" act in Macon County. Deputies C. P. Rowell and J. B. Parker agree with me that the odds are long it was his last.

Advertiser
P. 1 C
Montgomery
Ala.
Jour 8-16-53

High Homicide Rate Among Negroes Of Montgomery Disturbing To Leaders

MONTGOMERY, ALA.— A Montgomery Advertiser reporter— Don McKee—has checked into the high homicide rate among Negroes of Montgomery and found that it is of a disturbing concern to Negro leaders.

He found that a killing spree among Negro citizens has taken 14 lives in 1953. Three of these slayings occurred during the first 9 days of August.

McKee quotes several of these leaders he questioned on the horrible incidents of homicide among Negroes.

"It's deplorable. They're law enforcement) too lenient on these folks that are doing this killing. I think that an example should be made of some of these murderers and they'll cut it out," said one Negro leader. He referred to the "electric chair" as a possible "example."

"A very disturbing situation," Dr. Council Trenholm said.

"There is a question whether to try to project any particular cause" he declared. "But better recreation has some relation."

"Some of it (murder) stems) from a feeling of frustration, generally, which might affect their (Negroes) sense of values," he said

He described the circumstances as "serious" and warranting "some effort to get the bottom of it."

J. E. Pierce called the situation "baffling," and added:

"It has concerned me for sometime. I believe that there is too much night life of the wrong sort among the Negroes," he said.

H.e too, called attention to the lack of recreation among Negroes here and cited the initiation of Negro policemen among Negro district as a possible way to cut down on the murder rate.

"More participation in the recreational and political life of the city is needed," he said. He also pointed to the inefficiency of truant officers and education off

keeping young Negroes in s

hence a lack of education

"It calls for social respons

the part of leaders of both

he concluded.

Records show that there

people—all Negroes—murd

Montgomery in 1952. However, of that 21, none remain unsolved. Two have been classed as justifiable homicide.

World
P. 5
Atlanta, Ga.
Jour 8-21-53

Negro Crime Rate Remains At High Peak

25 Stabbings, Cuttings Reported Among Race During 2-Week Period

By DON McKEE

Third In a Series

Twenty-five cases of cutting and stabbing among Negroes were investigated by Montgomery City Policemen here during the last two weeks of August.

So far this month, there have been three cuttings.

There have been 14 murders—all Negro—this year. The last one was committed Aug. 9.

A knife was used to stab the victim in that case.

Knives, razors, ice picks. These are the bloody weapons employed by irate Negro wives, drunken men or the traditional "jilted," or jealous lover.

There is no certain time for the Negro cutting sprees. But Saturday night generally is the occassion for from one to five or more knife fights.

Montgomerians expressed concern when they learned of the high rate of Negro killing and knifing here.

One prominent white man said: "As long as they keep the killing among themselves (Negroes) about all we can do is hope they'll make a change for the better."

No one seemed very worried about the situation outside of law officers. The reason:

It Seems Natural

Such cutting and killing have gone on for so long a time among Negroes here that it is accepted. It seems somewhat natural to native Montgomerians.

Most people want something to be done about the Negro crime situation.

"As long as public opinion against Negro crime and crime in general—remains at such a low ebb, nothing will be done," one man said.

A police official said the police court should be the first to dish out stronger punishment for fights where knives were involved. He strongly recommended the maximum sentence for conviction on a knife or ice pick fight.

Chief of Police G. J. Ruppenthal stemmed a rumor, prevalent among Negroes it seems, that some of Montgomery's policemen are afraid of "tough" Negroes.

"I'll admit the police force today is not like it used to be," Chief Ruppenthal said, and went on to explain that an officer cannot under the law which he represents, strike, shoot or use other force on someone he is arresting unless it is necessary.

"An officer is to use force against force," he said. "He has the right to use whatever force is necessary to defend himself, of course, if he is attacked."

Take Him Off Force

"Only in the case of a felony," Ruppenthal declared, "Can a man be shot for resisting arrest." (Should he run, etc.)

"If I had a man that would back up or show cowardice, I would take him off the force," Ruppenthal said.

He said a training program is conducted for Montgomery City Policemen to train them in tactics of arrest.

"They are taught to be humane," the police chief said.

Everything from lack of education to just plain orneriness has been blamed for the Negro crime rate here.

Meanwhile, the crime rate continues seemingly unabated.

P. 3
Advertiser
P. 1 B
Montgomery
Ala.
Jour 9-6-53
Advertiser
Jour 9-6-53

35 Slayings Among Negro Citizens Here

The "walking stick-death" of an elderly Pratt City man Friday night increased the total slayings among Negro citizens in the Birmingham area to thirty-five (35) within the past eight months, police said.

Church Avenue, was beaten to death during a "walking stick battle" with another man following an argument over a three dollar debt, investigating officers said.

Homicide detectives jailed Isaac Magwood, 59 of 409 Maple Avenue, Pratt City, on a murder charge in connection with Johnson's death.

Both men carried walking canes as they met at another person's residence in the 200 block of Miles Avenue, Pratt City, according to Deputy Coroner James O. Butler. The deputy coroner said Johnson asked Magwood for $3 owed him since July 4.

Johnson, it was learned, was living on an old-age pension.

World
Birmingham, Ala.
Sun. 9-6-53
P. 6

2 Negroes Jailed In Autauga Fray

Advertiser

PRATTVILLE, Ala., Nov. 25 (AP) —Two young Negroes were jailed here today after a white farmer was severely wounded by a shotgun blast at Milton community, in western Autauga County.

Sheriff George Grant said O. W. Vassar was shot in the left arm and shoulder at a store in Milton this morning by a Negro with a handkerchief over his face. Witnesses said another Negro waited outside.

Andrew Peoples, 18, and Andrew W. Moton, 19, were arrested at a home in Selma several hours later. Bloodhounds from Draper Prison led officers to a point where the pursued men caught a ride to Selma, the sheriff said.

P. 2
Montg. Ala.
Thurs. 11-26-53

Pistol Reported Pulled By Other Negro

Negro Who Owed $15 Shot, Loan Man Held

C. T. Johnson, of the Local Finance Co., has been released under a $500 bond, following an incident Monday in which a Negro was shot in the hip, city police officials told the Examiner today.

Johnson was charged with attempted murder when Cleve Gilmore, a Negro client who says he owed Johnson's firm $15, was shot in the leg. Gilmore is in Oak Street General Hospital, but is not in a serious condition according to hospital officials.

* * *

ACCORDING to Lt. E. O. Ryals, who investigated the case, Johnson called on Gilmore at his home to collect the $15 bill. When Gilmore told him he could not pay the bill and started to walk away from Johnson's car, Johnson fired, police said.

Police officials also stated that there had been another report this week of a loan company official drawing a pistol on a Negro because the Negro could not pay what he owed. The Negro, who did not bring charges, reported he was cursed by the loan official and then the gun was pulled on him, police said.

* * *

A MONTGOMERY finance company official stated that Johnson, the loan collector charged with shooting Gilmore, was not a member of either the local or state loan or finance associations.

Johnson had a permit issued by Sheriff A. G. Moseley to have a pistol. Sheriff Moseley said that "permits are issued to those who feel need for them for protection in their business from burglars, etc." He pointed out that permits are not issued to collectors but to company heads who request them and who can show that they need a pistol for protection.

When questioned further the sheriff said that pistol permits had been issued to a number of loan companies as well as other downtown business establishments. He said in each instance the permit was issued as "a protective step" for the company.

Examiner
P. 1
Montgomery Ala.
Thurs. 9-17-53

Examiner
Thurs. 9-17-53

Impeachment Count Dropped In Connor Case

BIRMINGHAM, Ala., Oct. 15 (AP) — Impeachment proceedings against veteran Police Commissioner Eugene Connor have been dropped because he is going out of office.

Circuit Solicitor Emmett Perry today announced nol prossing of grand jury charges that Connor was "mentally and morally unfit" to hold office. Two hearings on the allegations ended in mistrials.

Connor did not seek re-election and his term of office expires Nov. 2. A new city commission was chosen Monday.

Told of Perry's announcement, Connor said, "he's had plenty of time if he wanted to do anything. It's been more than a year since the last trial."

He declined other comment until he had seen Perry's statement.

A Jefferson County grand jury filed impeachment charges against Connor in the spring of 1952.

The grand jury action was based on morals charges brought against Connor after he was found in a hotel room with his private secretary, and complaints about the way he ran the police and fire departments.

The 55-year-old official has not announced his plans for the future. There are reports that he may run for sheriff or enter private business.

Connor has served as police commisisoner since 1937, and previously served a term in the Alabama legislature. As Birmingham's top police officer he crusaded against organized crime and vice.

Advertiser
P. 1
Fri. 10-16-53
Montgomery
Ala.

Crimes Among City's Negro Population Keep Police Busy

A stabbing, flim-flam and minor thefts among Montgomery's Negro population yesterday highlighted crime activity in the city.

Police records showed only four minor crimes reported that did not involve Negroes.

Nathaniel W. Wynn, Negro, 671 Decatur St., was in Oak Street General Hospital last night from a head wound received when an unidentified Negro woman stabbed him in the back of the head with a piece of jagged glass, records stated.

Henry Gregory Jr., Negro, 2046 N. Lincoln Terrace, told officers he was "talked out of" $68 by two unknown Negro men. He described the men as "one about 30 years old and tall, the other a short elderly man."

A nine-year-old Negro boy was in St. Margaret's Hospital last night with a broken leg and body lacerations received when he was struck down by a car here yesterday. Joseph Baldwin, Rt. 3, Montgomery, was hit by an auto driven by James A. Gilliand, of Weogufka. No charges were filed against Gilliand, officers said.

Ruben J. Ellis, Negro, Wetumpka, had quite an interesting tale to tell police last night. It seems that Ellis dropped his wallet containing $40 on the floor at Stoney's Place, 404 N. Court St., yesterday and when he turned to pick it up, an unidentified Negro woman snatched up the wallet and raced into the ladies' rest room. He then related how that she came out of the room shortly afterward, and handed him the wallet. It was empty. Police who searched her upon his request said she didn't have the money on her person.

Also under investigation by police were:

The theft of a small radio from Reed Transfer and Storage Co., N. Lawrence at Randolph St.;

Theft of a flashlight from an auto owned by Irving Gassenheimer, 3138 Bankhead Ave.;

Theft of a bicycle, valued at $20, from the home of Tommy Bryant, 15, 10 Rouse St.;

Attempted burglary of autos owned by John McNutt, 1631 E. Fairview Ave., and H. J. Jones, 3775 McLemore Rd.;

Assault of Phillip Glenn, Negro, 60, 1656 N. Decatur St., who was found unconscious in the rear of a home on Dixie Court yesterday morning.

Advertiser
P. 4B
Montg.
Ala.
Mon. 11-23-53

Woman says she paid officers bribe

MOBILE, Ala., Nov. 30—(AP)— A Negro woman bootlegger told a federal court jury today she paid $10 weekly bribes to two veteran Mobile detectives to protect her moonshine whisky business.

Mrs. Mary Lou Brown was the leadoff government witness at the second trial of Paul Buck and Francis A. Slade on charges of conspiring to violate federal liquor laws.

Her story was virtually the same as the one she related to another jury last April. That trial ended in a mistrial when the jury was unable to agree.

Assistant U. S. Atty. William Cowan said the government would show that three federal alcohol tax unit agents hid in Mrs. Brown's home Aug. 2, 1953, and watched her pay off the two officers.

Defense Atty. Vincent F. Kilborn referred to Mrs. Brown as "a notorious bootlegger who was not worthy of belief under oath" and that her story of payoffs was a "fabrication."

Kilborn said in his opening statement the defense would show that Buck had sold Mrs. Brown a watch for $30 and that he had stopped by her house on Aug. 2 to collect the final $15 due him when federal ATU agents said they were hiding in her house.

News
P. 1
Birmingham
Ala.
Mon.
Nov. 30, 1953

13 1953

ALABAMA

He Is Shot By Trainman—

Negro Ex-Convict Is Arrested On 'Peeping Tom' Charges

Advertiser

p. 8B

9-29-53

A sharp-shooting LeGrand railroad man yesterday swore out a warrant against a Negro ex-convict on a charge of violating Alabama's "Peeping Tom" statute.

J. L. Mills signed the warrant against John Williams, 22, according to an announcement by Chief Deputy Sheriff G. A. Moseley Jr.

Deputy Moseley said that Williams was being held without bond in Montgomery County jail. The deputy added that Williams had only recently completed a three-year hitch in Kilby for a burglary and grand larceny conviction from Lee County.

Mills told county officers that shortly after dark last Friday he heard suspicious noises outside a bedroom of his home in LeGrand.

He got out his .22-caliore rifle and waited silently as the Negro ripped loose the screen and forced the window.

Just as the Negro succeeded in raising the window, Mills took careful aim and fired. But at the very same instant, the Negro apparently turned his head and the bullet just creased his brow and knocked off the GI fatigue cap he was wearing.

Williams wasted no time in seeking safer ground, but Mills reloaded quickly and fired again, the bullet hitting the Negro in the right shoulder.

Deputies J. D. Talley and Wilson Armstrong were called to the secne, and in the investigation they found the cap lost by the Negro. Later, Deputies J. L. Romeo and J. S. Yarbrough tracked down the cap to it's owner.

Williams suffered a severe powder burn on his brow, the bullet passed so close to his head.

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2 NAACP Men File Petition In Fikes Case

9-24-53

Birmingham

SELMA, Sept. 23 (AP)—Two attorneys for the National Assn. for Advancement of Colored People have entered the case of a convicted Negro who faces trial Oct. 5 on a charge of nighttime burglary and criminal assault.

Peter A. Hall said at Birmingham that he and Orzell Billingsley Jr., another Negro attorney, had been retained by the NAACP on behalf of the family of William Earl Fikes.

Hall and Billingsley filed a motion yesterday for a sanity hearing for Fikes. Hall said no date had been set to argue the motion.

Two white Selma lawyers who had been appointed by the court to defend Fikes sai dthey were preparing a motion asking the court to remove them from the case. They are John H. Blanton and Traver Rountree Jr.

Blanton and Rountree said that in their opinion the motion by privately retained counsel relieved them of participating in the case any further.

Fikes was arraigned last Friday on the charge of nihgttime burglary, a capital offense in Alabama. He is accused of entering a home occupied by Mrs. Al Rockwel, daughter of Selma Mayor Chris Heinz.

The Marion filling station attendant was sentenced to 99 years in prison last Spring after being convicted of crimal assault on a soldier's young wife.

He was accused by police of creating a reign of terror among Selma housewives with a series of burglaries and attempted assaults.

He has been indicted in five other cases of nighttime burglar here.

Blind Negro Beaten And Left To Die In Bitter Cold Urges Forgiveness For Attackers

This is the fifth of a series of special stories from the files and memories of prominent sheriffs throughout the state. Today's story by Sheriff Addie Mosley, of Montgomery County tells of the armed robbery of a blind negro who didn't want to make a case against his attackers.

Advertiser

By ADDIE MOSLEY
As Told To
Stuart X. Stephenson

It was freezing cold shortly after 4 a.m. on Jan. 1, 1951, when a badly-hurt blind Negro from Birmingham was saved by a miracle.

Arthur Davis, in company with George Massey, was nearing Montgomery, to spend New Year's with relatives. Arthur was blind.

Nearing Prattmont the car in which the two Negroes were riding had a flat tire. The driver, Massey, pulled off the road in the bitter cold. There seemed to be no sign of life anywhere.

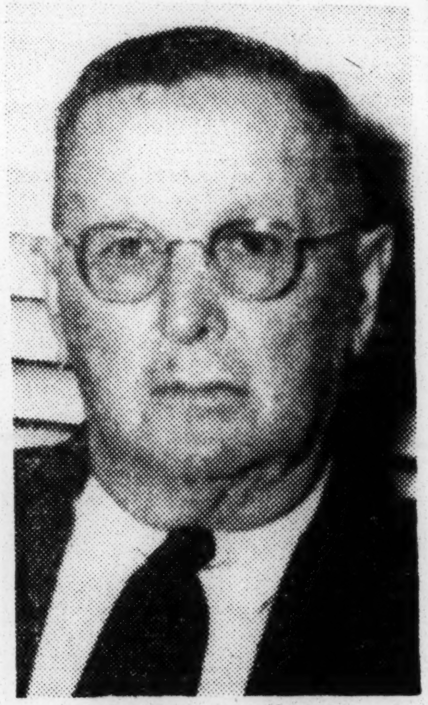
Massey, leading his blind companion, started out in quest of help. And help came along in the form of a pick-up truck with a couple of well-known thugs in it.

The innocent and unsuspecting Negroes got into the back of the truck and it wasn't long before the would-be helpers had met another pair of thugs. The four were riding merrily along—they had celebrated all night in a New Year's Eve spree in Montgomery.

One of the four white men decided that it was a perfect set-up to rob the Negroes—kill them if necessary. And the drama began. The truck was pulled off the road. Two of the gangsters looked under the hood and the other two approached the Negroes in the back of the truck.

A tire tool and jack were used in the attack. The first swipe at Massey and the blow was glanced off. He ran. The attack then centered on the blind Negro. He begged for mercy and offered his pocketbook which contained $35. He was badly beaten and left to die in the bitter cold and black morning.

Instinct, or whatever it is that makes a man fight to live, kept Davis going. He crawled over the freezing terrain for half an hour or so and came near the Shepherd Lumber Company where the night watchman offered help and stopped Highway Patrolmen John Kessler and John Higgins who came by shortly after the injured Negro reached the lumber yard. Officers Keesler and Higgins radioed headquarters in Montgomery and J. O. Mathews, H. W. Mitchell and George Mosley sped to the scene.



ADDIE MOSELEY

Davis was rushed to a hospital. And then the search was started for the culprits. It didn't take long to obtain a lead. The would-be killers had left one of two trucks they had operated on the side of the road. The tag on the deserted truck had been issued to Wiley and Clyde Fryer. Both had run afoul of the law before.

With the help of the Autauga County sheriff we picked up the Fryer brothers. They readily admitted their part in the crime, promptly implicated two other bad men—Wesley Downs and Warick Smith and in no time at all we had the bloody pick-up truck, washed clothes, the flat tire owned by the Negroes, a full confession and four bad men behind bars.

Downs got 16 years, Smith ten, Wiley Fryer 15 and Clyde Fryer, Five.

Warick Smith has since escaped from Draper, stolen a car and, in general, his future appears to be pretty secure.

There must have been much good in the heart of old Arthur Davis the blind man. He said to me here in the courthouse:

"Sheriff, if you don't have to don't make no case against them."

He was happy to be alive!

BULL CONNER OUT AS B'HAM POLICE HEAD

BIRMINGHAM, ALA—(I N S)—Birmingham's new commission took office Tuesday and veteran police commissioner Eugene Connor bid farewell to the panel after 16 years.

Major James W Morgan was inaugurated as President of the commission, with associate commissioners Robert E. Lindbergh and Wade Bradley.

Lindbergh, who will head Connor's police department, promised new reforms in the assigning and training of department personnel, who have been under fire in several recent investigations.

Lindbergh has proposed the appointment of Police Commander Col Paul Singer to reorganize the department. Approval of Col Singer's contract to head up the force for one year with full power as police chief is exected to come Wednesday from the Civil Service Personnel Board.

City's 42nd Slaying Among Negro Citizens Recorded

By MARCEL HOPSON

Birmingham's 42nd slaying among Negro citizens was recorded on the books this week as police launched an intensive effort to solve the second mysterious slaying within five days here.

Wounded

Victim of the latest mysterious death is identified as Miss Jessie Mae Dykes, 30 of 519 North 11th Street, who was found after being fatally stabbed by an unknown man some time between 4:30 and five o'clock Saturday evening, police said.

Birmingham
Ala.

FOUND BY FOUNDRY MAN

Investigating homicide detectives said that a local foundry emloye, Mason Prince, claimed that he allegedly discovered Miss Dykes' lifeless body when he returned home from work around 5:30 o'clock Saturday evening. The victim reportedly resided at the Prince's home police said.

"A TASTE OF SATAN'S ENTERTAINMENT"

10-30-53

Evie James Jr. of 312 South 11th Street, told police that he was unwilling to press charges of assault against a man known by the name of "Hell Fire," who lives in South Fourth Avenue between 13th and 14th Streets, for allegedly stabbing him on the left arm during a fight between them reportedly in the Sears-Roebuck parking lot around 7 o'clock Sunday night, it was learned.

James reported that he and "Hell Fire" were returning home from town when they began to argue. James was further quoted by police as saying that during the squabble, "Hell Fire" borrowed a knife from another person and allegedly stabbed him Police said no arrest was made since James refused to prosecute.

James Berry and a Mr. Winham were identified by police as witnesses to the episode.

"LITTLE BIT DID BIG BIT"

Police said Jesse Newsome, 52 of 416 South Sixth Avenue, refused to tell what happened in connection with his being stabbed in the left shoulder and scratched on the left arm allegedly by a woman he identified as Miss "Little Bit" during a "pushing session" between them at 611 South Beta Street, around 7 o'clock Sunday night.

Witnesses were quoted by police as stating that Newsome reportedly pushed Miss "Little Bit" and she pushed him back. He then allegedly started hitting her and she replied with the knife, witnesses said

Among persons identified as witnesses was Mrs. Viola Patterson, of 624 South Beta Street, officers said.

Police said no arrest was made since Newsome clammed up and refused to talk.

"A CASE OF HIT AND RUN"

Since the investigation was incomplete no arrest was made following the stabbing of Miss Minnie Ford, 18 of 1336 Short South Fourth-al, allegedly by a woman known as "Miss Dolly," around 12 midnight Friday reportedly at the "Brown's Cafe," 13th Street and South Third Avenue, police said.

Officers were told by Miss Ford that she was in the cafe and Miss "Dolly" just "passed by the table" and started cutting her.

"THE BEST ONE WON"

A woman, identified as Mrs. Rachel Jones, of this city, was not arrested on an assault charge, Sunday morning, pending further investigation, police said.

However, police said, Mrs. Agnes Clay, 38 of 3200 North 28th Avenue, accuses Mrs. Jones of allegedly stabbing her in the left side during a battle in front of the victim's home, around 2 o'clock Saturday afternoon.

"I BEAT YOU THERE"

Jesse Lee Conner, 27 of 1353 No. 20th Place, reported to police that he was stabbed by a man known as "Mr. Cooper," of 1354 North 20th Place, sometime during Saturday evening, in the 1300 block of North 20th Place.

Wounded

Conner stated that the stabbing, in which he was reportedly cut about his body, resulted from an argument between him and Cooper "over parking space" for their automobiles in an alley.

"TOO MANY TO HANDLE"

Police learned from Robert Williams, 27 of 2514 North 21st Street, that he was attacked and stabbed by three unidentified men at 6:30 o'clock Saturday evening at North Fifth Avenue between 17th and 18th Streets.

Williams explained that he and a Willie Curtis, of Bessemer, were walking down the street when the men jumped on them, with one of the assailants stabbing him in the left chest.

No arrest was made due to insufficient information, police said.

"JUST A FEW WORDS"

Joe Collins, 33 of 2425 South 2nd Avenue, said he was stabbed atop the left shoulder allegedly by Arhur Gary of 20 South 24th Place, while 'we were just having a few words' around three o'clock Saturday morning in South Second-al at 24th Street, police stated.

Identified witnesses gave their names as Mrs Mary Lee Holloway, of 2413 South Third Avenue, and Joseph Nichols of 2518 South 2nd-al, police said.

10-30-53

No arrest was made pending further investigation, officers said.

"FIGHTING FOR WHAT??"

Wesley B. Rowsel, 22 of 2604 No Third Avenue, reported that he was stabbed on the back of his neck by an unidentified man, around 8 o'clock Saturday night at North Fourth Ave., and 26th St., police said.

Rowsel stated that he was sliced while a "fight over some women" went into action, officers said.

Due to insufficient evidence, no arrest was made, police said.

"BIG BROTHER TAKES OVER FOR LITTLE SISTER"

Alex Flanning Jr. 31 of 403 So. 23rd Street, told police that the black eye he was sporting was a result of a beating he reportedly suffered at the hands of an unidentified man at 407 South 23rd Street, 6:30 o'clock Friday night.

Flanning was quoted by investigating officers as stating that a woman, he identified as Miss Daisy Drake, who lives in Southtown Project, reportedly accused him of hitting her and then "s i c ked" her big brother on him.

The victim said "big brother" slipped up behind and started assaulting him with fists. Police said no arrest was made since Flanning was unable to give accurate decriptions of his assailant.

Earnest E. Mangle of 407 South 23rd St., was identified as witness, police said.

"TWO-MAN ATTACK"

Police arrested two men, identified as Morris Alexander, of 1419 Beale St., Pratt City, and Roland Coley, 17 of 1520 Beale Street, and placed both in jail on suspected charges of assault with weapons, Saturday evening, it was learned.

Both men were taken into custoday shortly after Solomon Cleveland, 32 of 1522 Hibernian Street, Pratt City, complained to police that he suspects allegedly attacked him, one of them stabbing him in the left shoulder with a pocket knife, around 11:30 o'clock Saturday morning, at "Six Points West" on Highway 8," palice said.

The victim, who was treated at Hillman Hospital and dismissed, is identified as the husband of Mrs. Callie Cleveland, same address.

"AMATEUR BOWLING ALLEY"

Mrs. Ruth Johnson, 31 of 908 Franklin Avenue, Pratt City, refused to press charges of assault against her husband, Willie Johnson and no arrest was made, Friday night, police said.

"THE SAME OLD STORY"

Miss Mary Woodson, 31 of 1931 North 24th Court, accused a man, identified as Harvey Lee Harris of 2009 North 29th Ave. of allegedly kicking and whipping her about the head and b o d y early Saturday morning, police said.

Police quoted Miss Woodson as stating that she came out of a cafe around one a. m. and as she reached the sidewalk at North 29th Ave. and 20th St., Harris allegedly started "beating on me for no reason at all."

Th victim went by taxi to Hillman Hospital, was treated and dismissed. A Mrs. Frances Washington, operator of the cafe at North 29th Avenue and 20th St., was identified as a witness, police said.

13 1953

CONGRESS OF CORRECTION AND AMERICAN PRISON ASSOCIATION

Top Negro Penal Experts Attend Prison Congress In Canada

By GLADYS P. GRAHAM

Call p. 2

Kansas City Mo.

Date 10-23-53

TORONTO, Canada. — (ANP) — Some 1,000 penal authorities are assembled in the second largest city in Canada. Ontario's provincial capital and financial center is aglow with members of the 83rd annual Congress of Correction and American Pirson association and its affiliates convening at the Hotel King Edward here.

Major General Ralph B. Gibson, CB, OBE, commissioner of penitentiaries is president of APA.

Top sepia panel and correctional experts are making their contributions along with the Canadians, and other groups here. The United States and Canada have a unique similarity of correctional systems, being the two countries in the world having separate federal and state (or provincial) institutions.

Ohio Pardon and Parole Commission's Chairman Percy Lowery of Columbus is here. Lowery's work at home covers Ohio penitentiary, London Prison farm and Ohio State reformatory for males and females.

The psychologist for his committee is a noted clinician, Sturcle Patterson, a product of Ohio State university.

California is represented by Chairman Walter Gordon and the Federal Parole board by Atty. Scoville Richardson of St. Louis.

Mrs. Dorothy Banton, superintendent, the Kruse school, Marshallton, Del., recently returned from India, presided over the Conference of Superintendents and Wardens of Correctional Institutions for Girls and Women.

Mrs. Franklin D. Roosevelt was among prominent female speakers participating in the congres which met in Canada for the firs time in 29 years.

13 1953 D.C.

TRAGEDY HITS THE HILLTOP AGAIN:

Howard U. Teacher Shot As Daughter Looks On

Afro American p. 1

Dad Shot, Storekeeper Held

WASHINGTON

David T. Ray, 46-year - old zoology instructor at Howard university, was shot, Tuesday, at Fourth and W sts., nw., in the presence of his 10-year-old daughter.

Morris Brier, 52, white proprietor of the store at the intersection, is under $2,000 bond on a charge of assault with a deadly weapon.

Carolyn Ray, daughter of the wounded instructor, gave an AFRO reporter an eyewitness account of the incident

Visited Store At Lunch Time

The girl, a fifth grade pupil at Mott elementary school, said she went to the store, which is located across the street from the school, during the noon lunch hour with Judith Jenkins, daughter of Howard Jenkins, a member of the law school faculty at Howard.

Sat 2-21-53

13

Carolyn stated that she made a purchase. The storekeeper, she said, argued that she had not paid for it, while she contended that she had.

However, Carolyn said, she added the amount requested.

Later that afternoon, she said, Carolyn told a teacher about the incident and that evening told her father about it.

Mr. Ray went to the store, she said, to talk to the storekeeper. The man at the store, the youngster related, became angry and got his gun.

Sat. 2-21-53

The father and youngster, Carolyn asserted, ran out of the store and down the street. The storekeeper ran after them, she said and two shots were fired.

Police Officers On Scene

AFRO reporters, arriving at the store shortly after the shooting, found two police officers from Precinct 13 on the scene who declined to give any details of the incident.

A girl in the small crowd of people outside the store said that someone had shot a man, with a little girl.

Behind the counter, reporters found a gray-haired man and a woman, who were asked what had happened.

Sat 2-21-53

"Nothing happened," the woman replied.

1320C

"The people outside say someone was shot," she was informed.

"No one was shot," the woman answered. The man with her remained silent.

Blood-Stained Shirt

At Freedmen's Hospital, Mr. Ray's bloodstained blue shirt was dangling from a hook on the wall and an attendant reported that the victim had been taken upstairs to be X-rayed.

According to the police report. Mr. Ray was driven to Freedmen's by Solomon Bostic, of 23800 Champlain st., nw. Brier was arrested on the scene by Pvt. Charles Queen of Precinct 13.

Taken to the precinct, Brier was booked at 5:45 p.m. and later was taken to headquarters for further questioning. He was charged with assault with intent to kill, but the charge was later changed to assault with a deadly weapon.

Shell On Street

Police who investigated the incident reported that they found no shell or bullet-hole or other evidence of a shot inside the store. An ejected shell was found on Fourth street, 35 feet from the entrance of the store, it was reported.

Brier appeared in Municipal Court for a hearing on Wednesday, but because of Mr. Ray's condition the case was continued to March 10.

Mr. Ray, who lives with his wife and daughter at 3778 Hayes st., ne., has been on the faculty at Howard since 1947.

He received his B.S. degree at Bates college and his M.S. degree at the University of Pennsylvania. He taught at Virginia State College and Johnson C. Smith University before coming to Howard.

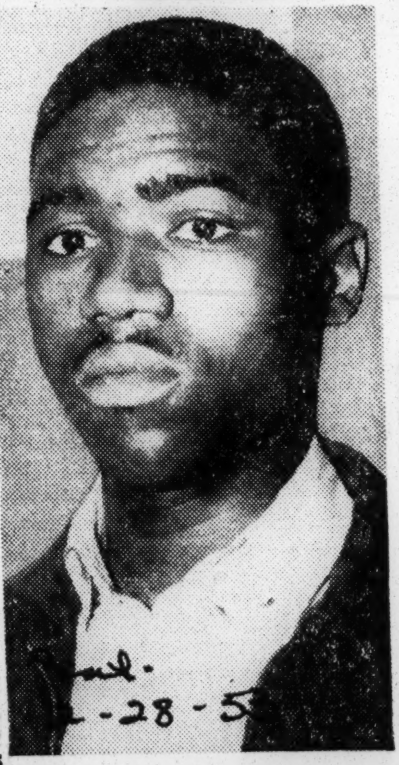
Carolyn Ray, 10, daughter of David T. Ray, Howard university instructor, stands outside Freedmen's hospital where her father was taken Tuesday night after being shot in her presence near a store at Fourth and W sts., nw. Mr. Ray had gone to the store to protest after Carolyn told him she had been overcharged for a cup of coffee. Morris Brier, 52, white proprietor, has been charged with assault with a deadly weapon and is free on $2,000 bond. (Staff Photo)

AWOL Airman Held for Jury As Fairlawn Phantom Robber

A 19-year-old youth, arrested Thursday while he was beating an elderly man, yesterday admitted to police eight of a series of vicious robberies which for three months have terrorized residents of Southeast Washington.

Post

Known as the Fairlawn Phantom, he was identified by police as Samuel Lewis, jr., 2320 Shannon pl. se., AWOL from Bolling Air Force Base, who preyed upon the wallets of elderly men. Most of Lewis' victims were hospitalized, police said, and one man lost an eye as the result of a brutal kicking.



Sat. 2-28-53

The Washington Post

SAMUEL LEWIS, JR.

. . . admits vicious robberies

13 20C

Post P. 13 Washington D.C.

LEWIS MANNING

. . victim of Fairlawn Phantom

Lewis fell into a police trap Thursday night in front of 1715 A st. se., where he was dragged off his victim, Lewis Manning, 67, who had just left his house there. Manning was taken to Casualty Hospital. He suffered a dislocated shoulder.

Lewis yesterday was charged with robbery and held under $25,000 bond for action of the grand jury.

13

For 15 days, a special 10-man police detail patrolled in their own cars and on foot both sides of East Capitol st. from 8th to 17th sts. se. on the lookout for a ruthless bandit. The special search was ordered by Police Chief Robert V. Murray who feared the vicious yoke robberies night end in murder.

At 9:30 p.m. Thursday, two policemen spotted a 6-foot, husky man answering the description of the robber walking up and down A st., Pvt. P. A. Evanisko, of the Third Precinct, followed him and Pvt. M. J. Walker, of the Seventh Precinct, walked down 8th st.

Dat. 2-28-53

Evanisko said he saw the suspect pounce on somebody. Running to the pair, Evanisko said he tried to pull the assailant off but was unsuccessful until Walker arrived to help him.

After admitting his intent to rob Manning, the bandit was identified as Lewis, who had skipped out of Bolling Base where he was a private three months ago.

Prodded by positive identification by witnesses and victims, Lewis yesterday admitted robbing these victims: William R. Abbott, 62, Robert Thompson, 68, John E. Harrell, 59, Henry Matlew, 59, Adolph J. Tehicle, 64, Eli Dedich, 57, Francis T. Curtis, age not given, and Stephen L. Pearson, 59. Pearson lost his eye as a result of the assault.

R J 3

Police said they believe Lewis may have committeed more than 8 of the 20 yoke robberies of elderly men which began in December in the Fairlawn section and recently flared up across the Anacostia River in the East Capitol st. area.

Lewis told them he began his robbery spree months ago with a couple of other boys, police said. He said "it seemed so easy" he decided to try it alone, police added. Lewis also told them, police said, that he learned it was easier to rob elderly men and when he beat them first, there was less struggle.

13 1953

D.C.

FBI Enters Case

Boy Missing 2 Years Home; Pair He Lived With Charged

Washington, D.C.

A 9-year-old District boy who vanished without a trace in 1951 showed up at his home Sunday and unfolded a strange tale of how an Arlington couple posed as his parents for two years.

Tues. 7-21-53

Police have arrested the couple, and yesterday the Federal Burea of Investigation entered the case to determine whether kidnaping statues were violated.

The child is James Leon Woods, only son of Mrs. Dorothy Cole, 1704 Vermont ave. nw.

Held by Arlington authorities are Delores and Curtis Berger, 1611 Jefferson Davis hwy., Arlington. Mrs. Berger, 41, is charged with "feloniously secreting the child from its parents." Her husband, 30, a truck driver, is charged with assault and batery on the child.

P.1

W.C.

Detective Everett L. Cooper, o fthe eMtropolitan Police Missing Persons Bureau, pieced together this story:

On August 11, 1951, a woman identifying herself as a "Miss Brown" of the Police Women's Bureau came to Mrs. Cole's home and said she wanted to take James, then 7 years old, to the Juvenile Bureau for questioning about pilfering from cars.

Mrs. Cole put some of her son's belongings in a small suitcase and the boy left with "Miss Brown."

When several days passed and the boy had not been returned, Mrs. Cole went to police and discovered her son had not been picked up by a policewoman. The lad was then reported missing—and remained mising until Sunday.

The boy corroborated his mother's story. He said that he was taken from his some to the Berger residence in Arlington by Mrs. Berger.

He was enrolled in the Hoffman-Boston School in Arlington as "Junior Berger."

Post

By Arthur Ellis—The Washington Post

JAMES LEON WOODS

. . . a 9-year-old comes home.

Once, he said, he attempted to return to his District home, went as fare as the Fourteenth Street Bridge, but got lost, so he returned to the Berger place.

"Mrs. Berger treated me real nice," said the boy, adding: "She called me Junior Berger so much I forgot my name."

On one occasion, Detective Cooper said. the boy gas questioned b ythe Arlington County Juvenile Bureau in connection with a bicycle theft and repeated truancy. At that time both Mr. and Mrs. Berger accompanied "Junior Berger" to the Juvenile Bureau.

Berger Saturday became angry at James, and while his wife was away took the boy back to the vicinity of his home, Cooper said. The boy told police Berger struck him in the face before they left Arlington.

P.3

James, still uncertain about where he lived, wandered about until he encountered a former chum who directed him home.

Post

The boy told his mother what heppened and she contacted Arlington police.

Mrs. Berger denied abducting the child o rposing as a policewoman.

She said a woman, unknown to her, approached her on the street and asked her to look after the boy because she was broke and out of a job.

Berger said he knew nothing about the abduction and claimed his wife told him when she brought the lad home he was her son by a previous marriage.

Berger was released yesterday under $500 bond. His wife was still detained last night with bail set at $2500.

The case will be heard July 28 in Arlington Juvenile Court.

Meanwhile, James resumed his rightful name yesterday and was getting reacquainted with his relatives. He is staying with his grandmother, Mrs. Marguerite Cole, 1614 10th st. nw.

13 1953

D.C.

Search for Slayer of Clerk Narrowing Down to Pentagon

Post

Washington, D.C.

By Matt McDade and Alfred E. Lewis
Post Reporters

The brutal murder of an Army postal clerk yesterday was called "out of line" with the usual pattern of underworld revenge as the search for the killer appeared to be narrowing on the vast Pentagon itself.

At the same time, District police helped out the Federal Bureau of Investigation by checking persistent rumors that John Samuel Johnson, 32, was involved in the numbers racket and may have been slugged to death by an underworld associate. Fri. 7-3-53

Johnson, an employe in the Adjutant General's mail room, disappeared June 25. On Tuesday morning, Johnson's decomposed body was found jammed in the trunk of his car, parked near its usual place in the Pentagon's north parking area.

A big numbers raid Wednesday gave impetus to the rumors. District police arrested 11 persons, including an alleged "control man" identified as Isaac Welsh, of 1833 Kalorama rd. nw.

During the questioning of one suspect, Johnson's name was mentioned. The suspect told police, "Yes, he's a welsh man."

This was variously interpreted to mean that Johnson allegedly had welshed on bets—or worked for Welsh. p.17

Inspector Clarence H. Lutz and Capt. Irvin H. Umbaugh, head of the gambling squad, said they were not able to verify from anyone else that Johnson wrote numbers or worked for Welsh.

The FBI, which has jurisdiction in the baffling case, is still running out leads, including the numbers rumor. No arrests have been made.

An FBI spokesman indicated yesterday, however, that the savageness of the slaying and the fact that Johnson's body was found at the Pentagon may point toward another motive. It also was rumored that Johnson, a married man and father, was romantically involved.

Johnson was bludgeoned 18 times and the face and head. The FBI agent said the ferocity seemed out of line with usual gangland murders.

It was learned also that FBI agents are still probing the riddle of Johnson's car. The spokesman said, "There is nothing to indicate the car was there over the weekend. This gives rise to speculation that the car was driven there on Monday."

The fact the car was left nine lanes from the lane where Johnson regularly paarked in the huge lot led to further speculation that the killer not only knew Johnson but knew a great deal about parking facilities at the Pentagon. Unreserved space for visitors is in the south parking area.

The FBI and Pentagon police are searching the building, grounds and area for blood splotches or other clews to where the bludgeoning took place.

Agents are closely querying workers in the mail room section, which employs 92 persons.

A reporter was told at the mail room yesterday that employes had been instructed to talk to no one except designated authorities—the FBI or Pentagon police. Both the FBI and Army denied issuing a gag order.

One of the last known persons to see Johnson alive was Sylvester Merriweather, of 851 20th st. ne., a "close friend" who saw Johnson driving down 9th st. nw. about 2:45 p. m. June 25.

Post Wed. P.1

This cafe photograph shows John S. Johnson with his wife, Sylvia. He was found yesterday in the trunk of his automobile with a large wound in the back of his head.

Slain Clerk Reportedly Accepted Race Wagers

Post

Washington, D.C.

P.1

Wed. 7-1-53

His Body Found With Hole in Head Stuffed Into Trunk Of His Automobile

The FBI yesterday took over investigation of what authorities called an underworld murder—right on the Pentagon's own north parking area.

Dead was John S. Johnson, 32, of 1312 Shepherd st. nw., a Grade 3 Army civilian employe who worked as a postal clerk in the Adjutant General's mail room.

Sources who could not be identified described Johnson as a bookie who took horse bets.

Johnson had been missing since Thursday. His wife Sylvia saw him off to work in the morning. She had a call from him at 1:30 p. m. saying he would be home "a little late" for the family's 4 o'clock supper. That was the last she heard from him.

13C

Reported Seen Tuesday

Friends of the dead man are reported to have last seem him alive Thursday afternoon, both in Chapel Oaks, Md. and in the District's northeast section.

Johnson's body, wedged into the trunk of his automobile, the head poked through a spare tire, was found shortly after 11 a.m. yesterday. There was a 1½-inch wide hole in the back of his skull.

A fello wemploye, Morris B. Robinson, 1312 Belmont st. nw., detected an odor from Johnson's car, a 1951 Chrysler sedan with white-walled tires. He summoned Pentagon Police Sergt. R. W. Plummer who sped to the scene—in the very middle of the Pentagon's packed parking area. The trunk was unlocked.

Park Police quoted the dead man's brother, Curtis Johnson, 950 Rhode Island ave. nw., a Bureau of Engraving and Printing employe ,as saying John Johnson had been "dabbling in the numbers business but had quit since that storm came up at the Pentagon.'

Metropolitan Police arrested cab drivers in 1949 for bringing numbers plays from Pentagon bettors through the District into Prince Georges County. Authorities yesterday would neither confirm nor deny the existence of numbers or horsebetting rings at the Pentagon. One said: "If there is such a thing I don't know about it."

Served in Army

Johnson's wife said he began working as a Pentagon postal clerk in 1942. He was in the Army from 1943 to 1946, reaching the rank of staff sergeant. He then went back to his job in the Pentagon. An Army spokesman recalled "something about the numbers" when Johnson was investigated for his job, but said there couldn't have been anything conclusive as nothing of it appears in his personnel file.

The dead man had good efficiency ratings and was so popular with his maid room colleagues that they saised a fund a few days ago to hire a detective to help find him. His wife said he had no enemies.

But the main question of who killed Johnson, how, and why were still unanswered last night.

Post

The FBI, which now heads the case, would merely comment that the case was "under investigation."

Finding the body in the Pentagon area precipitated a jurisdictional wrangle of more than five hours. Wed. 7-1-53

Arlington police were concerned because the body was found in their county. Park police were concerned because they patrol the Pentagon area and Sergeant Plummer, who found the body, is one of their officers. The FBI finally claimed jurisdiction because the fatality was on Federal property.

13C

Until the red tape was cut, the body remained untouched in Johnson's trunk. The dead man's brother, Curtis, was fairly certain of identification because of the clothing. But Johnson's heavy frame was crammed on its side, the face away from the trunk opening.

Finally, at 4:45 p. m., authorities allowed the body to be moved and Curtis Johnson was able to make positive identification. The body's removal at the peak of the Pentagon's quitting time, drew hundreds of horrified onlookers.

The next jurisdictional hitch involved the autopsy.

Dr. A Magruder MacDonald, District Coroner, said he was not authorized to take charge. Accordingly, he permitted the FBI to "store" the body in the District Morgue. The Public Health Service was finally ordered to perform the autopsy.

Until it is completed, authorities can only speculate on time of death and how the head wound was made—by knife, flattened bullet, or perhaps by some other instrument.

The FBI also is investigating Johnson's source of income. A Grade 3 employe, such as he was, makes $2950 to $3430 a year. P.2

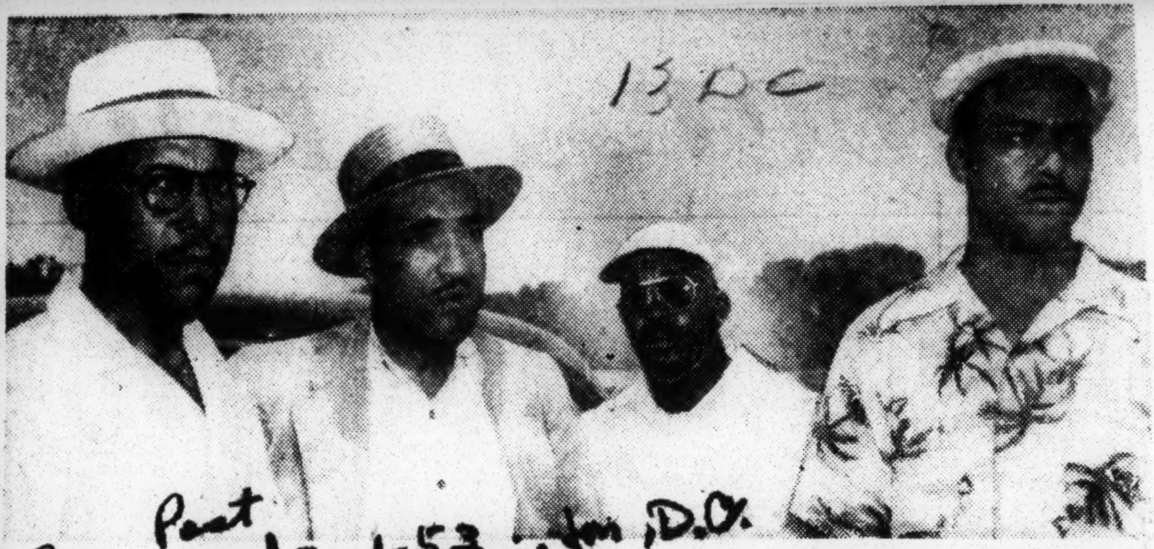
Johnson bought his Chrysler edan in 1951 by trading in a 1947 Buick and adding $2340.15. Of this, $1500 was in check form—the result of a loan from Pentagon's credit union—and the rest in cash.

Johnson's home on a pleasant, shady block of Shepherd st. is an attractive brick structure, roomy and extremely will furnished. The Johnsons have two children, a four-year-old boy and a 10-mouth old girl.

Mrs. Johnson said she has no knowledge of her husband's ever having been mixed up in the numbers or any other racket. She said he had always been hard-working, sober and faithful and never stayed out late without telling her.

Mrs. Johnson first reported her husband as missing Friday, after checking with the Pentagon and finding he hadn't appeared at work. She made constant calls and visits to police precincts throughout the weekend. Police finally issued a teletype description of Johnson Monday and put out a broadcast for him yesterday, before realizing his body had been found.

13DC



P. 2 Post Wed 7-1-53 Washington, D.C.

By Arthur Ellis—The Washington Post

Three persons who worked with John S. Johnson in the mail room at the Pentagon and a brother are shown. From left are James A. Mingo, 1618 D st. ne.; Morris B. Robinson, 1312 Belmont st. nw.; William B. Gentry, 157 Randolph pl. nw.; and the brother, Curtis Johnson, 950 Rhode Island ave. nw. John was found dead yesterday.

No Progress Reported in Slaying Probe

Post Sat 7-4-53 P. 15 Washington

The Federal Bureau of Investigation said yesterday "there is nothing new to report" in the unsolved slaying of John S. Johnson, 32, found dead on a Pentagon parking lot.

Johnson, a postal clerk, was found June 30. His brutally bludgeoned body was crammed into the trunk of his automobile in the Pentagon north area.

The FBI, which has jurisdiction over the case, refuses to divulge any facts concerning the progress of the investigation. A spokesman pointed out that it is routine in the FBI not to make any comment until the case is closed.

However, it was learned that early in the case, FBI agents contacted members of the anti-gambling squad of the Metropolitan Police Department in a search for clues.

According to police, Johnson was at one time a numbers writer for a local syndicate. Others say he had a lucrative business lending money to his fellow employes at high interest rates.

Yesterday, Johnson's widow, Sylvia, had her telephone number changed to an unlisted one. She denied that anyone has threatened her, but said she made the change to avoid having to answer calls from newspapermen.

Physician Asks Reversal Of Abortion Conviction

13DC

Journal and Guide P. 11 Norfolk, Va. Sat 8-15-53

WASHINGTON, D.C. (NNPA)—Dr. Tolley B. Spriggs, a physician, is seeking to overturn his conviction in District Court here on a charge of performing an abortion on the 19-year old niece of C. B. D. King, former Liberian Ambassador to the United States.

Miss Mary J. Cooper, a student at Howard University, died as the result of an illegal operation allegedly performed by Dr. Spriggs.

* * *

THE PHYSICIAN has filed a petition asking the United States Supreme Court to review the judgment of the United States Court of Appeals here upholding his conviction. Dr. Spriggs was sentenced to serve from four to twelve years in prison.

Dr. Spriggs contends that his conviction cannot be sustained upon the testimony of an accomplice, who was only "properly corroborated" in unessential details. As to essential details, he says, the only corroborative testimony was a letter written by Miss Cooper and another letter, addressed to Howard University, by her sister, Miss Maggie Cooper, who is in Liberia and was unavailable at the trial.

* * *

THE PRINCIPAL Government witness at the trial was Clifford Andrews, who testified that Mary was his girl friend and that in November, 1951, he and Mary went to Dr. Spriggs' office and Dr. Spriggs examined her in his presence.

Andrews said he again visited Spriggs and asked him how much he would charge for an abortion. According to Andrews, Spriggs fixed his fee at $100.

* * *

AT A LATER date, he said, he, Mary and Sam Murphy went to see Spriggs and asked him if he would accept Murphy's check for the abortion, but the doctor refused because the check was on an out-of-town bank.

Andrews said he went again to Dr. Spriggs and gave him $90 in cash to perform the operation. Andrews said he was present during the entire time Dr. Spriggs performed the operation on Saturday, December 1, 1951.

13 1953 D.C.

How They Caught the 'Cat'

Electronic Thriller Climaxes Pursuit

By Joe Paull and Matt McDade

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CHAPTER FOUR: "CORNERING THE CAT"

A deadly serious game of electronic hare and hounds was the climax to the elaborate plan to topple Randolph (Catfish) Turner from the throne of a powerful dope syndicate in Washington.

A miniature transmitter, similar to those used to obtain evidence against Catfish.

The decoys in the hunt were two confessed former dope peddlers wired for sound. Their mission was to get corroborative evidence, however slight, from the lips of Catfish himself.

On March 14, 1952, Federal narcotics agents, metropolitan detectives and Secret Service men met with the two peddlers for a final briefing in the Municipal Court office of Assistant United States Attorney Thomas A. Wadden, jr.

A black cloth purse containing a baby radio transmitter was handed to red-haired Nellie Leach. An identical Schmidt device was placed inside a sport coat pocket of her boy friend, Herbert (Bucklejaws) Johnson.

This man and woman, who spent three months in jail, were ready to perform a final undercover mission against Catfish—their former friend and boss.

Post
Washington
D.C.
Wed. 1-7-53

At precisely 6:40 p. m., the task force rolled.

Nellie and Bucklejaws hurried to a rented taxi driven by Marvin R. Fullmer, a Federal narcotics agent. Other agents and detectives sprinted toward three "plainclothes" cars and a panel delivery truck equipped with radio receivers and a tape recorder.

P. 1

Assistant United States Attorney Robert L. Ackerly and Wadden drove to Secret Service headquarters to man the master microphone of a secondary communications network.

At 7 p. m., Fullmer stopped the taxi before Catfish's home at 23 52d st. se. Nellie and Bucklejaws walked toward the house.

Three Secret Service cars fanned out in the neighborhood ready to trail Catfish if he should take Nellie and Bucklejaws elsewhere. The cumbersome sound truck, having lost a previous chase with Catfish's swift Cadillac, was stationed at 15th and H sts. ne. on the main route to town.

EDITOR'S NOTE

This is the story of the rise and fall of the biggest dope ring ever smashed by the United States Attorney's Office. It discloses how these underworld empires start and why they flourish, and it shows how they can be broken up. It puts into proper perspective the importance of the convictions recently obtained. This story has been compiled from the sworn testimony in the District of Columbia Courts and before the Senate District Crime Investigating Subcommittee, from the evidence submitted by investigators and from interviews with admitted addicts and peddlers.

At 7:05 p. m., Secret Service Agent Joe Ellis flashed the first message to headquarters.

"Nellie and Buck have entered Catfish's house."

Ten minutes later, Ellis broadcast a second report.

"They're coming out."

"Calling all cars. Prepare to follow Catfish's Cadillac."

Post

Then Chase is On

The chase started. Almost immediately, the radio crackled with excited messages.

"I haven't got him. Joe, have you got him?"

"He just rounded the corner. I'm stuck at the light."

Catfish shook his pursuers quickly. He slowed down for a green light, waited for it to turn yellow and then sped into a hard left turn.

"Jason from Fleece. He just turned left again on the yellow. For gosh sake, try to find him. I can't keep up."

Wed. 1-7-53

The aging sound truck which could travel no faster than 45 miles per hour lost sight of the swift vehicles.

At headquarters, Wadden and Ackerly pored over a grid map of the city and traced the painful story of the losing race.

"Man, look at him go! I've got this thing on the floor and he's too hot for me."

"Fleece from Jason. Losing sight, but he's still headed toward Northeast Washington. Doing 65 or 70."

"Where the devil are the police!"

Washington D.C.

One Car Gives Up

One Secret Service car gave up the race. The two remaining ones lost communications with headquarters and were presumably lost.

The time was 7:20 p. m.

Agent Fullmer ran the rented cab to Secret Service headquarters.

Acting on a hunch, Fullmer drove Ackerly in the taxi to Nellie's home.

Fullmer switched off the ignition, slipped from the cab and hastened into the house. Ackerly waited nervously in the taxi.

Two strange men and a girl strolled toward him. Suddenly the men started belaboring the girl with their fists. The girl screamed, "Help!" She broke from her assailants and ran toward the taxi.

Ackerly could not risk playing good Samaritan. He took the wheel, gunned the motor, skid around the corner and roun the block. The man and girl had disappeared, but Fullmer was still inside the house. Finally, Fullmer reappeared and climbed in the cab.

Post Wed. 1-7-53 P. 3

Washington D.C.

The Washington Post

Herbert (Bucklejaws) Johnson and red-haired Nellie Leach waiting to be called to the witness stand at the Senate District Crime Subcommittee.

They aren't in there," Fullmer said. "Let's go back."

Sound Truck Lost

13 D.C.

The sound truck was lost. The three Secret Service cars were deployed in a search for the Cadillac.

Agent Pat Welch radioed an urgent message to headquarters.

"I've found the Cadillac. It's in an alley beside the Lincoln Theater at 1215 U st. nw."

The plainclothes cars were ordered to find the sound truck and send it to the Lincoln Theater. The lumbering vehicle was located a few minutes later on Florida ave. near 6th st. nw., its occupants waiting patiently.

The sound truck ultimately reached the vicinity of the Cadillac. Then, clear and loud, the radio receivers in the truck picked up the blare of jazz music and the muffled voices of Nellie, Bucklejaws and Catfish.

The driver turned the truck into a vacant parking space in front of the Turf Club. He could not have driven nearer the source.

Accompanied By Juke Box

Inside the nightspot, Nellie, Bucklejaws and Catfish sat in a booth near the bar. The strident lamentations of Johnny (Cry) Ray gushed from a gaudy juke box. A waitress placed Scotches on rocks before the somber trio. Nellie edged her purse toward the center of the table.

Inside the dark sound truck, Federal Agents Thomas W. Andrew and John Cross adjusted their headphones and strained to hear. Agent Alvin Betts hunched over the tape recorder.

The first clearly discernible voice was that of Catfish. This is what Cross heard and subsequently related in the trial:

"I read in the newspaper about a red-headed woman testifying before the grand jury. When I heard her name was Nellie Leach, I jumped 90 feet."

The swell of music obliterated the voices. Then:

". . . If they catch me, the most I can get is five years for conspiracy . . . Jim Yellow got five to 15 . . . I can't go to jail for life. All they can give me is five years."

Veiled Threat Heard

Through a jumble of background noise, Agents Cross and Andrew heard a veiled threat that Nellie repeated later on the witness stand.

"He told me," Nellie testified, "if I called Harry, Larry or either Dick's name I would wind up just like the fellow was in the Sutton case."

Andrew testified he heard "certain conversation . . . that it took three to make a conspiracy, and if she hadn't signed any papers she could say that certain things weren't said and then, if I recall, he brought out the words not to mention any names. . ."

Spools on the tape recorder revolved slowly for an hour, preserving the cackle of music, profanity, laughter and snatches of grim conversation from Nellie, Bucklejaws and Catfish.

They left the Turf Club at 9:15 p. m. Observed by the agents through two-way mirrors in the walls of the sound truck, Nellie, Bucklejaws and Catfish crossed the street talking all the while.

Catfish drove Nellie and Buck home.

The Federal agents and policemen returned to the Municipal Court building where Wadden and Ackerly played back the recording.

Much of its content was unintelligible, but the prosecutors felt they now had Catfish's own words to strengthen the conspiracy case against him.

The next morning, an optimistic advertisement appeared in the Washington edition of the Pittsburgh Courier. The advertisement heralded the opening of the luxurious "Twentieth Century Guest House" at 2000 N. Capitol st. Prominently displayed were smiling pictures of Randolph Turner and his most enduring girl friend, Kitty Simpson. They were respectively identified as manager and proprietress.

"Make your reservations now,' the advertisement urged.

Unknown to Catfish, he had reservations at District Jail.

In an effort to get more evidence against him, the prosecutors dispatched Bucklejaws to Catfish's home that night. The pocket radio proved ineffective. Bucklejaws related this account of the conversation:

"Man, don't come in here. This place is wired. My car's wired. Every place is wired."

"Man, they're trailing me all over town. Them people is everywhere."

"What you talking about, Cat?"

"What am I talking about? Look at that black Buick. That's one of 'em."

~~"And~~ look there! There's another one."

"And another one—right over there. I even know the man in it."

"Man, it's just too hot tonight. Buck, you better go home."

Bucklejaws was willing to try again that night. As Buck walked toward the dwelling, Catfish drove from the alley in his Cadillac.

He repelled Bucklejaws with a wave of horror and stepped on the gas.

Through most of the night of March 16, United States Attorney Charles M. Irelan conferred with Wadden and Ackerly. At 3 a. m., the attorney and his aides agreed to seek a quick indictment, naming as coconspirators, Catfish, his known lieutenants, pad operators, peddlers and his runner to New York.

Also to be named defendants were Harry Tantillo, Lawrence Carrado, and Richard Manfredonia, who were charged as the "Harry, Larry and Dick" supplying the ring in New York.

Irelan rose from his desk.

"Ackerly, I want you to start preparing a proposed indictment when you return to work in the morning. Wadden, you'll finish presenting the case to the grand jury."

The young attorneys returned to work seven hours later. It was 10 a. m., March 17, 1952, the day that was to mark the beginning of the end of Catfish Turner's million-dollar dope empire.

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7 of Dope Ring to Hear Fate Monday

Post

Grand Jury Calls 3 Federal Agents During Probe of Narcotics Bureau

P11

By Joseph Paull
Post Reporter

Judge David A. Pine of District Court yesterday refused to grant a new trial to Randolph (Catfish) Turner and six codefendants convicted of operating a million-dollar-a-year dope syndicate here.

Washington

The jurist announced that he will sentence the defendants at 10 a. m. Monday.

There were three other developments concerning the Washington narcotic situation:

1. The District rackets grand jury questioned three Federal narcotics men but kept under wraps its critical report on the Federal Bureau of Narcotics.

Sat. 1-10-53

2. Rep. A. L. Miller (R.Neb.) approved proposed legislation for compulsory hospitalization of drug users and called on the District Medical Society for comment.

3. Four persons convicted of violating narcotics laws received prison terms in District Court.

Lawyers Argue

In the Turner conspiracy case, defense lawyers argued for an hour that their clients were convicted illegally. They charged that Judge Pine acted improperly in aiding the prosecution by asking questions of Government witnesses and in sending his printed charge in to the jury room. They also said evidence was lacking to prove a conspiracy beyond a reasonable doubt.

Judge Pine overruled the motions without even requiring the Government to answer.

He said he was prepared to impose sentence immediately. However, a legal wrangle then developed over information filed by the Government that three defendants had prior convictions for narcotics violations. They are Richard Manfredonia, Leon James and Allan (Turk) Williams.

Boggs Act Invoked

The Government sought to invoke the Boggs Act of November 2, 1951, which provides for mandatory stiff prison terms for repeater narcotics offenders.

Defense attorneys protested they were not served with notice the Boggs Act would be used. When they demanded time to study the matter, the judge agreed to give them until Monday morning.

'Black Sammy' Convicted of Dope Peddling

Post.

Is Found Guilty On 3 Counts; Jury Disagrees on Three

P-25

1/3

Joseph (Black Sammy) Davis, 40, described by prosecutors as one of the District's 25 major narcotics violators, was convicted by a District Court jury yesterday of peddling dope.

Washington

The jury, after deliberating four hours, found him guilty of three counts of sale and possession of heroin in the State Door Bar and Grill, 618 T st. nw. last September 26.

Jurors, however, disagreed on three additional counts of sale and possession alleged on September 27 on T st. nearby.

Thurs.

1-29-53

Jury foreman Theodore Lit, 1610 Park rd. nw., told Judge Charles F. McLaughlin some members felt they should inspect the scene of the alleged September 27 sale before reaching a verdict on the last three counts. The judge said he didn't think such an inspection would be "proper" and dismissed the jury.

The United States Attorney's office said Davis, of 648 Lamont st. nw., had been on its list of 25 major narcotics 'violators here since last March. Membership also included Randolph (Catfish) Turner, convicted last December with six others for operating a million-dollar-a-year dope conspiracy.

In March 1952, "Black Sammy" was mentioned during testimony before the Senate Crime Subcommittee as a dope peddler.

Supreme Court Gets Five Numbers Cases

Group Says Convictions In D. C. Were In Error

WASHINGTON (NNPA)— The U.S. Supreme Court was asked last Friday to review the conviction in District Court of five persons on charges of operating a numbers game.

They claim that the headquarters of the alleged numbers game was illegally searched and evidence used to convict them illegally seized.

Afro American

The five petitioners are Othello (Wash) Washington, Ralph W. McKnight, Loretta J. (Betty) Wallace, Charles F. King and James H. Turner. Miss Wallace, the daughter of a minister, is a graduate of Howard university.

P5

Convicted On 2 Counts

Washington was convicted on two counts of a four-count indictment. He was found guilty of operating a numbers game and possession of numbers slips. He was sentenced to 6-18 months in prison.

Washington

McKnight and King were convicted on one count—operating a numbers game—and were sentenced to 5-15 and 8-9 months in prison, respectively.

Miss Wallace and Turner also were convicted on the count charging operation of a numbers game. Miss Wallace was given a suspended sentence of four months to one year and a day and placed on probation.

Cite Court Of Appeals

The petitions contend that the U.S. Court of Appeals here, in upholding their convitions, erred in holding that there was "probably cause" for the issuance of the warrant for search of the alleged numbers headquarters.

The officer who obtained the warrant, they say, made no personal observation of illegal activities and did not even attempt to place a bet over the telephone. The "probable cause," they add, was based on "reliable information."

Sat. 4-11-53

They also contend that the appeals court erred in holding that "except for Washington" the petitioners had no standing to challenge the legality of the search warrant because they made no claim to ownership or posssion of the property seized by the police, or to an interest in the premises searched.

Testimony Of Officers

The only evidence introduced against the petitioners at their trial, they say, was the testimony of the officers who raided the alleged numbers headquarters and the various articles seized during the raid.

Search warrants for premises at 735 and 735-A Rock Creek Church rd. nw. were obtained when Precinct Detective Arthur H. Molle, a member of the Vice Squad, made an affidavit before U.S. Commissioner Cyril S. Lawrence April 11, 1951, stating that he had reason to believe that numbers slips were concealed in the two premises.

The raiding officers seized two telephones, a large quantity of numbers slips, four adding machines, a radio, scratch sheets, coin wrappers, a large quantity of unused numbers books, other gambling paraphernalia, and $1,999.90 (in cash).

13 1953 D.C. (Narcotics)

How They Caught the 'Cat'

Along Came Nellie, All Wired for Sound

Post. Tues. 1-6-53

Washington, D.C.

By Joe Paull and Matt McDade

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CHAPTER THREE: "WIRED FOR SOUND"

Nellie Leach was an obscure name and number in District Jail when the United States Attorney's Office started a bold investigation of Randolph (Catfish) Turner and his million-dollar dope empire in February, 1952.

It was Nellie's third month in jail. She was awaiting trial on a charge of dope-peddling.

She knew the shadowy haunts of dope pushers and addicts. But no one, including Nellie, suspected she was to become a key undercover agent in the adventure that put Catfish, four of his peddlers and two New York suppliers behind bars.

Investigation of the narcotics racket was assigned to Assistant United States Attorney Thomas A. Wadden, jr. He faced the task with only one tangible asset—himself. He had no office, no personnel, no investigators and no operating funds. He certainly had no crystal-clear idea of how to break up a narcotics conspiracy.

P. 1

The Washington Post

NELLIE LEACH

. . . the first big break

Wadden finally obtained a Municipal Court office. A secretary appeared, and the Police Department sent over a detective. Assistant United States Attorney Robert L. Ackerly was assigned to the investigation. A deputy marshal was added.

The 30-year-old Federal lawyers agreed to avoid the traditional technique of calling in high officials to deliver speeches on the "narcotics problem." They wanted to see for themselves.

The prosecutors systematically dredged District Jail and questioned in secret every shoplifter, prostitute, petty thief, pickpocket, car thief or vagrant who might contribute a shred of information about narcotics.

Wadden and Ackerly compiled a list of known addicts from all available sources. They sought them out in cluttered rooming houses and shanties.

Every Friday and Saturday night, the two men toured night clubs and notorious street corners. They viewed, at first hand, the public panorama of the dope underworld.

At this time, Catfish, his defiant jaw thrust forward, raced along U st. and 9th st. in his maroon and cream Cadillac. The lanky, well-dressed dope king still ambled into after-hours clubs, flashed his bankroll and bellowed:

"Drinks for everybody! The Cat's here!"

A means of getting trial evidence on Catfish seemed as remote as ever.

EDITOR'S NOTE

This is the story of the rise and fall of the biggest dope ring ever smashed by the United States Attorney's Office. It discloses how these underworld empires start and why they flourish, and it shows how they can be broken up. It puts into proper perspective the importance of the convictions recently obtained. This story has been compiled from the sworn testimony in the District of Columbia Courts and before the Senate District Crime Investigating Subcommittee, from the evidence submitted by investigators and from interviews with admitted addicts and peddlers.

In mid-February, however, Wadden was screening jail prisoners in his office. The marshal announced another.

Into Wadden's office strolled a sullen, henna-haired woman with a cold face and calculating eyes. Small and thin, she was wearing a drab gray dress. Her name was Nellie Leach.

Nellie sat down, lit a cigarette and drew a deep, decisive drag. She waited for Wadden to speak.

He took a matter-of-fact plunge.

"Do you know Catfish Turner?"

"Yes, I know him," she replied promptly. "I used to work for him."

"Hey, boss," exclaimed the marshal. "Looks like we're in business."

Without prompting, Nellie reeled off and later repeated in court a damning recital of how she and her jailed boy friend, Herbert (Bucklejaws) Johnson, got into the dope business, obtained heroin from Catfish Turner, and plied their trade at dope dens and street corners.

"Did you yourself purchase heroin from Turner?"

"Yes, I did."

"When?"

Post

"Well, from the very beginning that we moved in 29 S st. We moved in there the Christmas of '50."

Nellie's remarkable memory supplied a roster of every defendant subsequently convicted in District Court four weeks ago. She gave many other names.

Washington

Nellie asserted to Wadden and at the trial that syndicated dope retailers paid $60 each month to police for protection. Her cold rage centered upon this fund. She considered three months in jail something less than protection.

Two days later, a marshal brought Bucklejaws to the office. The heavy, mournful man shuffled in, slumped in a chair and stared at Wadden from beneath drooping eyelids.

Wadden peppered him with leading questions which left no doubt that someone had talked.

Bucklejaws showed no emotion. He answered all questions, but volunteered nothing. "Ungh," he grunted, when the correct answer was affirmative.

Knowledge of the syndicate's inner sanctum was his. He furnished oral evidence, used at the trial last month, that Catfish headed a monopolistic organization of five major peddlers, including Bucklejaws himself, and many underlings.

Bucklejaws returned to his cell.

As long as no outsiders knew Nellie and Bucklejaws were baring secrets, they were safe in jail. But Nellie was taken before the rackets grand jury on February 18. Newspapermen immediately reported an unidentified "red-haired" woman was testifying.

The underworld's mysterious web of communications extends into the cellblock of District Jail. Nellie notified authorities that she had been branded a "rat" and told she would be treated accordingly.

She suggested that she arrange a meeting between Catfish and Lieut. H. H. Carper, then chief of the Police Narcotics Squad, since suspended. The investigators and high police officials considered it a capital idea.

Nellie explained her motive in the trial. "I wanted to know," she testified, "why I had to stay in jail so long and Mr. Carper and Mr. Turner didn't do nothing to try to get me out."

The former home of Odessa Madre, onetime underworld queen of Washington, was selected for the proposed rendezvous. This house, at 1719 1st st. nw., was then equipped with devices installed by the Senate District Crime Subcommittee during its investigation of gambling. The devices included a two-way mirror and electric leader wires for sound recording.

Nellie was brought from the jail to Wadden's office. Police Inspector Clarence Lutz, an aide, Wadden and Ackerly were waiting.

"Do you think the plan will work?" Wadden asked.

"I know it will work," she replied.

Nellie slipped into Wadden's chair. A tense and silent band gathered around as she picked up the telephone directory and dialed a number.

Lutz picked up an extension phone. Wadden and Ackerly left the office.

Nellie was soon to repeat details of the conversation to the Senate Crime Subcommittee. This is what she testified:

"Well, I called Mr. Carper, and when his wife answered the telephone she said that he was sick, and I told her to tell him it was very important that I talk to him, so she went and she came back and she said she was sorry, he couldn't get up.

"So I told her, 'Well, you tell him it's Nellie Leach,' and when she came back Mr. Carper came to the telephone and I asked Mr. Carper wasn't anything did about me and Buck (Bucklejaws) staying in jail after paying the money, and he said he didn't have anything to do with our case, and I asked him about the money and he says he wasn't getting the money . . ."

Nellie hung up and called Catfish.

According to trial testimony, she expected both of them to meet her.

A half-hour before the appointed meeting, the advance party swarmed into the Madre house with cameras and sound equipment in a noisy, circuslike parade. Nellie arrived under guard in the midst of this fanfare.

Neither Catfish nor Carper joined the party.

Nellie was released on lowered bond, determined to raise bail for Bucklejaws.

When a Federal narcotics officer visited her two days later, she agreed to become an "undercover agent" for $8 a day.

On February 27, police raided the dope pad of Joseph (Peter Rabbit) Smith at 1323 West Virginia ave. ne. He was named by Nellie and Bucklejaws at the recent trial as one of the major peddlers in the Catfish ring.

United States Attorney Charles M. Irelan and his aides now faced an important decision. Should the Government prosecute Peter Rabbit on a "safe" charge of sale and possession of heroin? Or should the Government take the risk of sweeping up the whole gang in a broad conspiracy case?

Irelan decided on the latter course, resolving that he, Wadden and Ackerly would try the case in court. If they lost, they would share the blame.

They then launched the decisive and most bizarre phase of the investigation. Their aim was to get, from Catfish's own lips, incriminating evidence to bulwark the conspiracy case.

They decided to wire Nellie for sound.

The Federal Bureau of Narcotics lent the investigators a Schmidt device—a baby radio transmitter with a range of two blocks. The device is slightly larger than a package of cigarettes—king size. They borrowed an aging panel truck equipped with two receivers, a tape recorder and two-way mirrors.

Narcotics Agents Marvin R. Fullmer, John Cross and Alvin Betts were assigned to help.

Nothing nonplussed Nellie. She was willing to be wired, and would have learned semaphore to help get Catfish.

Agent Fullmer, who still held the hacker's license he used to help pay his way through the University of Maryland, rented a cab. He and Nellie made several test runs, the sound truck trundling behind.

Nellie called Catfish and announced she was about to pay a call. The sound truck, parked a block from the Turner residence, was ready to pick up the conversation.

When Nellie arrived in the rented cab, a poker game was in progress and Catfish was in no mood to talk, anyway.

"Baby, I can't talk. My house is wired, my car's wired, everything is wired for sound."

Nellie naturally did not tell him that she was wired, too. Catfish returned to the poker table. Nellie counted out $30 in dimes for the players.

Nellie returned another night and insisted that Catfish discuss business. Wearily, he agreed to take her to a place where they could talk without fear of wires.

Inside the sound truck, the agents heard Nellie and Catfish enter an automobile, the roar of a motor—then silence.

Fullmer could not pace the fast Cadillac in his cab. The agents drove at random for hours trying vainly to pick up Nellie's radio transmission.

Wadden and Ackerly decided that next time they would have to use high-powered radio cars to trail the Cadillac and inform the cumbersome sound truck of its location. They appealed to the Secret Service which supplied three cars without insignia and the use of a secondary radio circuit. A two-way walkie talkie was installed in the sound truck and one "plainclothes" car.

They decided to wire up the mournful Bucklejaws, too, and use him as a second secret agent in the Catfish hunt. Bucklejaws was released from jail under reduced bond.

By this time, everyone was on edge. There were hints of reprisals. Gun licenses were issued to Wadden and Ackerly.

The final maneuver was Nellie's. She called Catfish March 14 to ask if she and Bucklejaws could come to his house.

"Bucklejaws out of jail?"

"Oh yes," said Nellie, sweetly.

At 6:15 p. m., Nellie and Bucklejaws, Federal agents, drivers, detectives and radiomen met with Wadden and Ackerly for a final briefing.

Nellie was handed a black cloth purse with the radio transmitter in its lining. An agent affixed a second baby transmitter in the inside pocket of Bucklejaws' sport jacket and ran the antenna down his sleeve.

Instructions were repeated. The clock ticked on.

At precisely 6:40 p. m., Wadden and Ackerly gave the signal.

Swiftly and without a word, the band walked to the Municipal Court Building exit. Bucklejaws and Nellie entered Fullmer's rented cab. Others ran to their cars.

It was the zero hour of an eventful night.

The Catfish anglers, Robert L. Ackerly, at left, and Thomas A. Wadden, jr., who conducted the investigation which led to the conviction of Turner's narcotics ring.

Authors Tell of Research

Most narcotics peddlers consider themselves dealers in a commodity and have no feelings of remorse for the human destruction they create, two Washington newspapermen said last night.

Appearing as guests on Mark Evans' Show on WTOP-TV were Joseph Paull and Matt McDade of The Washington Post, co-authors of a current sreies of articles in The Post tracing the rise and fall of Randolph (Catfish) Turner's dope ring.

The two reporters described their intensive search for facts for their series, which discloses how such rings as that of the "Catfish" start, how they flourish and how they can be broken up.

Some 180 hours of research and writing were required in preparing the articles that began Sunday in The Post and will continue through Friday, Paull and McDade said.

Not only did they go through Courts and before the Senate District Crime Investigating Subcommittee, the reporters said, but they spent hours interviewing admitted dope users and peddlers.

Indicted Man Arrested on Street by U.S. Agents

Post

P. 1

Washington D.C.

Accused of Running Wholesale Business On East Coast From D. C. to New York

Dat 5-30-53

A man described as "one of the largest wholesale narcotics dealers in this area "was arrested yesterday by Federal agents.

He was identified as Robert D. Williams, 42, of 1331 Irving st. ne.

Tom Andrews, head of the District office of the Federal Narcotics Bureau, said Williams was a "very large" dope wholesaler who operated up and down the East Coast between Washington and New York.

A District grand jury indicted Williams Monday on charges of violating the Harrison Narcotic Act, the Jones-Miller Narcotic Act and conspiracy to violate narcotics laws.

Two Federal agents arrested him near 14th st. and Rhode Island ave. nw.

Andrews was guarded in replies to questions put to him about Williams, indicating the arrest might be the first of a new series directed against the local narcotics trade.

He said the investigation which led to the arrest of Williams stemmed from the seizure of 71,000 grains of cut heroin by Federal agents last year.

John G. St. Lawrence, of Riverdale, Md., was subsequently indicted last fall by a Federal grand jury in connection with the seizure, according to Andrews.

Since then, Federal men have been searching for another man reported to be connected with the same case. Andrews indicated Williams was that man.

Williams was arrested about noon. Last night he was still in the cell block while his attorney attempted to raise $5000 bond.

During the Senate District Crime subcommittee probe last March a Robert ("Bob") Williams was described as a onetime "big man" in the local narcotics racket.

James ("Jim Yellow") Roberts told the subcommittee he was introduced to a Bob Williams in October of 1947 by an acquaintance named John Frye.

Frye, he said, described Williams as the "big man" at that time in illicit District narcotic circles.

13 1953 D.C. (NARCOTICS)

How They Caught 'The Cat'

Dope Peddler's Saga: Alley to Affluence, To Jail in a Cadillac

Post. P.1

Mon. 1-5-53

Washington, D.C.

By Joe Paull and Matt McDade

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EDITOR'S NOTE

This is the story of the rise and fall of the biggest dope ring ever smashed by the United States Attorney's Office. It discloses how these underworld empires start and why they flourish, and it shows how they can be broken up. It puts into proper perspective the importance of the convictions recently obtained. This story has been compiled from the sworn testimony in the District of Columbia Courts and before the Senate District Crime Investigating Subcommittee, from the evidence submitted by investigators and from interviews with admitted addicts and peddlers.

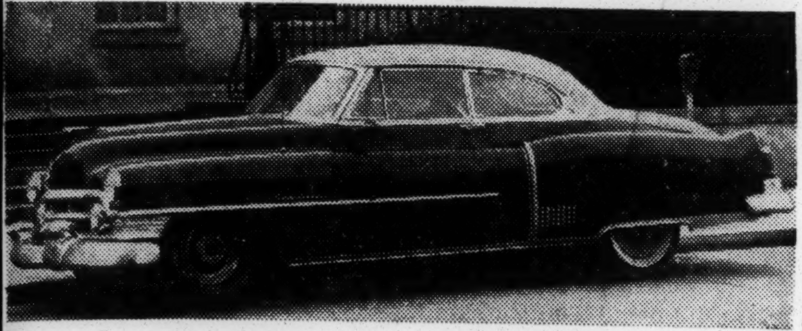
CHAPTER TWO: "THE MAN IN THE CADILLAC"

The man who stands convicted of directing the largest narcotics syndicate ever brought to trial in the Nation's Capital is a product of five years in its schools and a lifetime in its alleys.

Randolph (Catfish) Turner is a Cadillac-owning gambler, a man with a page-long police record, a sullen defendant awaiting sentence with six others on narcotics conspiracy charges.

He is a homely man. His narrow skull slopes forward into a jutting wedge-shaped jaw. He is tall and bony and angular. He walks with a curious list.

He aspires to what he deems respectability by picturing himself—even on the witness stand—as a life-long gambler whose chief interest is the race track, the prize fight and the poker table.



Catfish's Last Cadillac

Randolph (Catfish) Turner testified he helped buy this Coupe de Ville Cadillac for his girl friend. The sleek automobile is maroon with a cream canvas hard top. The price: $4000.

When arrested, he declared, "You ain't got no (dope) sales on me, I don't fool with that junk and you know it."

Actually, his life was blighted from the beginning.

He was born on January 1, 1916, the son of James H. (Big Chief) Turner and the former Ruth Strother. He lived with his mother and used her name as his own.

When Randolph was seven years old, he started classes at Cleveland School and soon transferred to Lovejoy School. The only education record extant is a notation that in 1928, when he was in Grade 4B, his case was referred to the Board of Publice Welfare.

The Welfare Board has a record of Randolph Strother but none on Randolph Turner. The birthdate is the same, January 1, 1916. The record shows that on July 29, 1925, the Women's Bureau declared he had no suitable home. There were interludes when he lived in foster homes until the summer of 1928 when he ran away. That December, Juvenile Court terminated his commitment.

His real home was the streets, and he stopped school of his own volition. But the Welfare Board notes that during these years there was no evidence of "delinquency."

The boy's mother died when he was 14. He drifted to the poverty-ridden area at 9th st. and Barry pl. nw., where his father still resides. A neighbor said she took Randolph into her house.

"I thought God would bless me for my venture," she murmured, shaking her head. She recalled that the boy liked to read sports news and relished nothing more than "pork chops and onions."

Like most children, she said, he took to playing with the neighborhood gang in the streets and alleys. For forgotten reasons, the gang dubbed him "Catfish."

This was and is an area where decaying houses push on each other and many homes shelter several families. The sordid alley world was a natural haven for criminals of all kinds. It was there that bootlegging flourished, gamblers were trained and dope peddlers were bred.

Catfish developed into a tall, lanky teenager who dressed "sharp." His friends recall him as a habitue of the U st. dance halls.

He held no regular job, but he helped his father operate a small trucking business. He sometimes collected fees.

The police record for Randolph Turner began two years ago when he was 17. Its first line reads, "Investigation . . . released."

Police began watching the high-flying, free-spending young man. During the next decade, he was brought in for questioning or charged with disorderly conduct at least once a year. He was booked for investigation on two consecutive days in 1945.

The regular trips to the Thirteenth and Second Precinct Stationhouses did not deter Turner. He was convicted of keeping whisky for sale in a house on 9th st. nw., a region of dark alleys and murky courts. He was on his way as a small-time gambler and bootlegger.

His first serious brush with the law occurred in 1942 when he was fined $25 for keeping whisky illegally. Police seized 39½ pints. The next year, he was fined $75 for bootlegging in Griffith Stadium.

Cronies do not recall when or how Catfish started dealing in dope. Reefers and narcotics were simply a part of 9th st., along with whisky, cards, dice and women.

Post

In 1946, he married Thelma Louise Shorter. She lives today at 2266 9th st. nw., and will say only this of her marriage:

"I left him a long time ago. I don't have nothing to do with Cat, and I won't talk about it."

Before the separation, they bought a comfortable, semidetached brick home at 23 52d st. se. The District Assessor's records show the property, with a $20,000 trust, was still listed to Randolph and Thelma Turner as of January 3, 1953. The house is filled with mahogany furniture and assorted knickknacks. He once bragged to friends that the drapes alone cost $700.

He purchased two television sets, one for his bedroom, the other for his parlor.

In 1947, the hitherto unfederated dope peddlers of Washington were called to Dunbar Hotel to fix prices and discuss measures to keep new peddlers from muscling in. According to testimony before the Senate District Crime Subcommittee, Catfish was one of seven narcotics dealers honored with an invitation.

Mon. 1-5-53

Cadillacs already were Cat's trademark. He first careened around town in a 1941 model listed to his father. It was confiscated in 1948 when Cat drove it to New York.

His explanation at the trial was indifferent and bland: "I think they found some marijuana, or sticks of marijuana in the car, something to that effect."

ALETHA (KITTY) SIMPSON

. . . Catfish's friend

Washington

He was indicted on a charge of possessing untaxed marijuana. The charge was dismissed.

The next year, he hit big-time. He was booked on charges involving both heroin and marijuana. The charges were dismissed.

He purchased a 1947 Cadillac, which went the way of the first one. It was seized by the Federal Narcotics Bureau in New York.

"This car was really sold . . . I wasn't in the car. I didn't know anything about it," he testified.

Two Washington drug kings fell in 1950. James (Jim Yellow) Roberts was convicted of dope peddling; his heir apparent left town, fearing he was next on the list.

The departures cleared the way for Catfish's unofficial coronation as "big man."

Catfish and his most enduring girl friend, Aletha (Kitty) Simpson, purchased two Cadillacs that year. In April, Kitty bought a 1947 convertible for $1776. In August, they purchased a 1948 sedan in her name from the Capitol Cadillac Co. The price tag was $2400.

That same month, the affluent Catfish ran into an old buddy, Herbert (Bucklejaws) Johnson. This is Bucklejaws' sworn version of the meeting:

"Why not start selling narcotics?" Catfish asked.

Bucklejaws pondered. "I don't know anybody to sell to."

"Don't worry, they'll come to you."

Two or three weeks later, Bucklejaws said he agreed to try. He was supplied with a hundred "hats" of heroin for $1 each and a hundred of cocaine for $1.25 each. Bucklejaws said he resold the heroin for $1.50 apiece, the cocaine for $2.

Soon, the Senate committee was told, Catfish issued a business directive which heralded the creation of his "organization."

At that time, he said, according to Senate testimony, he was "too hot to be handling caps and little quantities of dope." He said anyone who bought from him would have to buy it by the ounce.

Three strange New Yorkers visited Catfish at his home, the testimony showed. He could now boast that the really top men—the New York suppliers—came to him.

To show his local power, Catfish complained to the visitors, according to testimony, that $3000 was too much to pay for 35 ounces of heroin.

He was told, "If you want some trash, I can get it to you."

In April, 1951, Catfish announced that he had the "green light" to operate unmolested in Washington, Bucklejaws later told the Senate crime unit. He quotes Catfish as saying the federation would operate without police interference. Of course, there was "protection" money to be paid.

Bucklejaws and the other peddlers said they listed their names and addresses with misgivings. With that act, they became members of a franchised business. Catfish got the lion's business organization.

The money flowed in. Bucklejaws estimated he grossed $2000 a week. The trial showed that the gang ran a $20,000-a-week share.

The Catfish wore a $40 Bor

salino hat. His cashmere polo coat cost $500. Some 30 suits hung in his closet. His pale blue shirts bore the monogram "Cat."

Post Reporters Joe Paull and Matt McDade will be interviewed by Mark Evans tonight on his 7 o'clock show on Station WTOP-TV.

He wore a $400 wrist watch, but bought no other personal jewelry for himself.

"My knuckles are too big for rings," he said.

On May 29, 1951, he visited one of Washington's most exclusive men's shops and bought three pairs of slacks for $180. He paid $60 for a similar pair on July 2, 1951.

His favorite drink was Scotch on the rocks. He served Teachers and Ballantines.

He spent dollars like dimes.

He lavished affection on a handsome black-faced boxer dog.

He demanded attention. He walked into night clubs, threw a wad of bills on the bar and shouted:

"Drinks for everybody! And tell 'em the Cat is here."

In May, 1951, Catfish and Kitty traded in the 1948 Cadillac for a flashy cream and maroon Coupe de Ville. Price: $4000. He sped up and down U st. and 9th st. and greeted his friends.

Catfish summered in Atlantic City. According to testimony, he told his peddlers he had instructions to take a "vacation" because the "Federal people were coming."

He drove to the resort "before the season opened official, the night clubs and the things, the show. I can remember they was in rehearsal. I guess I stayed there until the Ray Robinson-Turpin fight."

After the fight, he drove back to town, confident that Washington was again a "cool city."

In November, 1951, however, Bucklejaws and Nellie Leach, his girl friend, were arrested in their dope pad at 29 S st. nw.

Catfish was unconcerned. He showed no sympathy for them. He made no effort to get them a lawyer or to raise bail for their release.

Unknown to Catfish, his glittering, dollar-stuffed world was doomed by his inaction.

He thoroughly underestimated the fury of a red-haired woman.

That woman was Nellie Leach.

Post - P. 5 Mon. 1-5-53
Washington, D.C.

Home Where Catfish Turner Lived

In this $20,000 house, there's a television set in the parlor and another set in the bedroom. The downstairs drapes cost $700.

UGE DOPE RING "BUSTED" IN DISTRICT OF COLUMBIA WITH CONVICTION OF 'CATFISH' TURNER

Underworld Group Was Selling Million Dollars Worth of Heroin Annually to Victims

SEVEN TOP FIGURES DISCOVERED IN RACKET

13 D.C. Narcotics

WASHINGTON — (ANP) — A million-dollar dope ring which has been operating in the District of Columbia for a number of years, was broken last week when the ring-leader Randolph (Catfish) Turner along with four of his lieutenants and two New York suppliers, were found guilty of dope conspiracy in the District court.

The conviction, after 13½ hours of jury deliberation, brought a dramatic end to a trial which has been in prograss for five weeks. The decision brought to a climax the largest dope conspiracy case ever tried in the District of Columbia.

Black Dispatch

These seven top figures who supplied Washington addicts with a million dollar worth of heroin capsules a year ago were found guilty on all six counts in the indictment.

P. 12

They will remain in jail until their sentences have been announced by Judge David A. Pine. Under the law, each could receive up to 40 years in prison.

Okla City
Okla

Found guilty along with Turner were Lawrence Carrado and Richmond Manfredonia, white suppliers from New York, said to have fed the ring bulk heroin in 35-ounce lots.

"Catfish's" top lieutenants also found guilty were Joseph (Peter Rabbit) Smith, Eddie (Meathead) Atkins, and Leon James. The jury found Allan (Turk) Williams guilty of buying large quantities of dope from "Catfish," but asked leniency for him because he was said not to have been in the inner circle.

Sat. 1-3-53

Two small fry operators, Warren Williams and (One Eyed) Sam Parker, were acquitted by the jury.

The members of the dope ring were indicted by the grand jury after their operation had been exposed by a senate crime investigating committee, headed by Sen. Estes Kefauver, several months ago. Four of the major witnesses in the trial were former members of the "gang."

Among these witnesses was Paul Robins on who had once served as "Catfish" Turner's "executive assistant." He testified that his business was to pick up "stuff" from Carrado or Manfredonia or the "Boss," Harry Tantillo, a fugitive in the case, and deliver it to James Atkins, Smith and Turk Williams.

The gang held monthly business meetings at Turner's house, he said, and discussed prives and the quality of their dope and paid their $60 monthly protection fee to be passed on to Lieut. H. H. Carper, suspended head of the narcotics squad, he testified.

He said he had the "terrible" dope habit and had been persuaded by his grandmother to "sing."

Two other states witnesses and former dope peddlers were Herbert (Bucklejaws) Johnson and his girl friend Nellie Leach. Both were important witnesses in the Kefauver hearings.

Nellie and Bucklejaws were arrested last November after having paid police protection. Nellie said she was so disturbed about the shake-down that she became an informer after being released from jail.

Claiming that he had been put on the spot by Nellie's "singing," Bucklejaws said there was nothing else for him to do but "Join the chorus." Because he already had a long criminal record, he said he could not stand any purjury charges.

Robinson, Johnson and Miss Leach all pleaded guilty to dope on separate charges and are now awaiting their sentences. Because of threats having been made upon Johnson and Miss Leach, the two are constantly under police guard.

It is recalled that when Bucklejaws Johnson was testifying before the senate committee a call is said to have been made to the chief counsel urging him to take "Bucklejaws" off the stand because he was about to be shot. Quietly the witness was dismissed from the stand without the spectators ever realizing what had happened.

The fourth witness in the dope trial was Ester Wright who told the jury that she had become an addict after going to live with Peter Rabbit and mixing dope for him and placing it in capsules for retail sales.

She tipped off federal agents after having a brawl with her lover. She was made a co-defendent in the case but won a dismissal and became a prosecuting witness.

Defense lawyers referred to these four witnesses as "moral lepers." They attacked the prosecutors for using what they called "Dick Tracy" gadgets in the investigation. They also claimed that the trial had been staged in bad faith.

More Than Incredible

A federal grand jury which for 25 weeks investigated racial bomb violences in Florida, has submitted its findings.

The 12-page report is not pleasant reading.

Afro-American

It blames the Ku Klux Klan for a reign of terror in the Miami area dating back to 1943.

P.4

The bed-sheeted, self-appointed keepers of law and order were accused of having:

1. Assassinated Mr. and Mrs. Harry Moore by bombing their Mims, Fla., home on Christmas night, 1951;
2. Lynching a man after snatching him from his bed in Winter Garden, Fla., in April, 1951;
3. Severely beating a man near Apopka, Fla., in 1949 for having "sassed" a white woman;
4. Crushing the skull of an orange picker on Easter Sunday, 1950;
5. Bombing an Orlando cafe in November, 1951, because the owner insisted on serving colored and white patrons from the same window;
6. Beating two white girls in 1947 for having bathed in the nude near Ocoee;
7. Beating a white man near Winter Garden accused of drunkenness and having neglected his famiy;
8. Bombed two times the Carver Village Homes housing project in Miami;
9. Burning down of a house near Apopka because the occupant had been suspected of molesting girls;
10. Beating a white woman accused of adultry near Ocoee in 1948.

Baltimore

Det 4-11-53

The shocked Florida grand jurors had this to say of the Klan:

"It is founded on the worst instincts of mankind. At its best, it is intolerant and bigoted. At its worst, it is sadistic and brutal. Between these two poles, it has its existence.

"In its own perverted way it is as destructive of basic American liberties as Communism itself."

Hugh Purvis, foreman of the grand jury, who handed the report to Federal Judge John W. Holland, termed it a "catalog of terror that seems incredible."

We agree.

We also find it "incredible" that the grand jury could not identify any members of the Klan, who thus might be indicted and at last brought to justice.

And still more "disturbing" that not a single one of our ardent, super patriot congressional probers has volunteered to investigate this clearly subversive conspiracy against American democracy and human decency.

Appeals to Brautigam

NAACP Asks Help In McDaniels Case

13 Fla.

Herald

Miami Fla.

State Attorney George Brautigam was asked Saturday to investigate the disappearance of Clarence McDaniels, Negro radio announcer, who has been missing since South Miami police seized his car after a bullet-punctuated chase July 12.

The request to Brautigam was contained in a letter from William A. Fordham of Tampa, president of the Florida state conference of the National Association for the Advancement of Colored People, and Dr. G. W. Hawkins, president of the Miami branch of NAACP.

McDaniels is an official in the local and state groups of the association.

Sun. 7-19-53

"This is requested," stated the letter, "not in deference to his position with the organization, but because we feel that every individual is entitled to a proper police protection as well as an opportunity to be heard with relations to any charge levied against him."

A local NAACP spokesman conceded that "there's not much anybody can do" until McDaniels is located.

Charges ranging from petty larceny to attempted murder have been filed against McDaniels although it has not been definitely established he was driving the car which later was identified as his.

The Negro driver sped away as two South Miami policemen tried to question him in front of a service station at SW 68th st. and Red. rd. The officers said the driver tried to run down one o them as he fled.

P.16A

They gave chase, firing sever bullets into the back of the ca The car was wrecked against tree, and the driver escaped foot.

KKK-Like Violence Breaks Out; Union Leader Flogged

Jacksonville, Fla.—A white union staff member who defied his Dixie Director's jim crow policy was brutally beaten this week in front of a CIO union hall.

Pittsburgh Courier

P.1

Ku Klux Klan-like violence against the bold equal rights policy of the United Packinghouse Workers of America, CIO, broke out here just as thousands of delegates to the 54th National Elks convention in Atlanta voted unanimously to back up that union's anti-discrimination program.

Des Moines Iowa

Jack Telfer, UPWA program coordinator who reported the ousting of Negro members from a union banquet by A. O. McKinney, director of UPWA's eight-state District 9, was flogged by four hoodlums led by an agent of the Director.

Thurs. 9-10-53

Beaten and warned to "leave town". the savage attack upon the white representative who upheld the union's equal rights policy was led by Archie Brookins, a former UPWA field representative.

13 Fla.

McKinney is officially charged with violating the union's dynamic equal rght's polcy and has opened a "secession" movement among local unions in the Southern District in an effort to avoid facing a trial which may lead to expulsion from UPWA.

A strong resolution passed by the recent Elks convention Civil Right's Committee and adopted by the entire convention noted the Dixie Director's attempt to "pull out" of the meat packing union and placed that powerful fraternal organization solidly in support of the civil rights fight conducted by UPWA.

White Leader Flogged; Defied Jim Crow Policy

13 Fla.

JACKSONVILLE, Fla.— A white union staff member who defied his Dixie Director's Jim Crow policy was brutally beaten this week in front of a CIO union hall.

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World

P.1

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Atlanta Ga.

Tues. 9-8-53

UNION'S EQUAL RIGHTS

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LABOR MOVEMENT

"We wholeheartedly endorse the militant equal rights campaign being waged by the United Packinghouse Workers of America, CIO." The Elks resolution stated, "we condemn any attempt to destroy or sabotage this much-needed campaign.

"The Packinghouse Workers, CIO, have placed the Director of one of their Southern Districts under charges of violating the union's civil rights policy," the resolution continued and pointed out that this was "the first time in the history of the labor movement that steps have been taken to expel a leading official because of anti-Negro activities."

FROM ITS RANKS

Noting that "The outcome of this unprecedented attempt by the Packinghouse Union to clean out all discrimination from its ranks sets a precedent which may become the pattern for other organizations in the field," the Elks convention described UPWA's anti-discrimination drive as "pioneering."

Telfer, treated for contusions by Dr. John Black of Jacksonville, Fla., refused to "leave town." He spoke to members of a local union here who had mistakingly turned some $1,000 of their treasury over to a "McKinnev Defense Fund" and had disaffiliated from UPWA. They voted unanimously to correct their mistake and to regain affiliation.

Meanwhile, the giant National Baptist Convention, USA, Inc., meeting in Florida were set to throw the bulk of their weight into a demand for community and national support for the equal rights program of the packinghouse union.

Foes Argue Death Penalty Discriminates Against Poor

(Fifth in a series of six articles)

By B. J. CUTLER

New York Herald Tribune Service

The heaviest charge brought against the institution of capital punishment in the United States, is that it discriminates against the poor and members of minority groups.

The contention that the poor are more often put to death is difficult to evaluate. There are no nationwide statistics on the economic positions of prisoners convicted of capital crimes. However, certain incomplete studies do suggest that the death cells house more than their share of laborers, illiterates and immigrants.

Somewhat more information has been gathered on the question of minority group executions. The Federal Bureau of Prisons has statistics listing for the past 24 years executions by race and offense.

★ ★ ★

THERE were 62 executions in the country last year—51 for murder, seven for rape, two for espionage, and two for kidnaping. Those executed comprised 30 Whites, 31 Negroes, and one American Indian.

An equal number of Whites and Negroes—28 of each race—were executed for murder. Convictions for rape took the lives of six Negroes and one White man. Those executed for espionage (the Rosenbergs) and for kidnaping (Carl Austin Hall and Bonnie Heady) were White.

Since 1930 the national execution toll has claimed the lives of 1,479 Whites 1,763 Negroes, and 39 members of other races. Of the total, 45.1 per cent were White, 53.7 per cent Negro, and 1.2 per cent other. During this time Negroes made up about 10 per cent of the population.

There were 373 executions for rape during the study period. Of this total, 37, or 9.8 per cent, were White executions; 334, or 89.6 per cent, Negro, and 2, or .5 per cent, other races.

★ ★ ★

COMMENTING on the execution figures by race, Professor Frank E. Hartung of Wayne University, said, "Considering their proportion in the total population, this means that Negroes are over-represented by about 550 per cent."

Some criminologists point out that Negroes have a higher homicide rate than the population as a whole. But there are few who suggest that the Negro homicide rate is so high that it should result in a 550 per cent over-representation of the race in death houses.

A new study of executions in the Southern states, including the District of Columbia, shows that 73 per cent of the persons executed for all offenses during the past 24 years have been Negroes.

During the study period seven Southern jurisdictions—Virginia, West Virginia, Florida, Mississippi, Louisiana, Oklahoma and the District of Columbia—reported a total of 78 Negroes executed for rape. No White man was executed for rape, although there were hundreds of Whites convicted for that crime during the period. Virginia is reported to have never executed a White man for rape.

★ ★ ★

IN discussing what he called the "selective enforcement" of the death penalty, Professor Hartung said, "This trend can be very briefly summarized: The death penalty is in this country predominantly and disproportionately imposed upon Negroes, the poor and less educated, and men."

The late Warden Lewis E. Lawes, in "Twenty Thousand Years in Sing Sing," made this observation:

"In the 12 years of my wardenship I have escorted 150 men and one woman to the death chamber and the electric chair. In ages they ranged from 17 to 63. They came from all kinds of homes and environments. In one respect they were all alike. All were poor, and most of them friendless."

"To what end or purpose were these victims sent to their premature deaths? Ordinarily the answer would be simple. They killed, therefore they had to die. A logical point of view, an arbitrary discrimination indeed, if it were applied equally to all who committed unjustifiable homicide."

★ ★ ★

WARDEN LAWES went on to say that defendants who are able to get the best defense counsels are rarely convicted of first degree murder and even more rarely executed. A large number of those executed were too poor to hire a lawyer, he said, and were defended by court-appointed lawyers, some with little or no experience in capital cases.

The late Clarence Darrow, the famous crminal lawyer who had an impressive record in murder cases, was more blunt in his appraisal.

"There is nothing so unequal and unfair as capital punishment," he said. "Only the poor are put to death."

A similar evaluation of the death penalty was made by the House committee on the District of Columbia of the 69th Congress. In reporting favorably on a bill, which would have ended the death penalty in Washington, but which did not pass, the committee said:

"As it is now applied the death penalty is nothing but an arbitrary discrimination against an occasional victim. It cannot even be said that it is reserved as a weapon of retributive justice for the most atrocious criminals. For it is not necessarily the most guilty who suffer it.

"Almost any criminal with wealth or influence can escape it, but the poor and friendless convict, without means or power to fight his case from court to court or to exert pressure upon the pardoning executive, is the one singled out as a sacrifice to what is little more than a tradition."

Among the classes of killers with the best chance of escaping the death penalty, women lead all the rest. In the past 24 years only 27 women were among the 3,281 persons executed in the country.

Herald

P. & D.

Miami Fla

8-27-54

13 1953

General

On Crime And Race

Afro-American P. 14

Baltimore Md

Sat. 7-18-53

It's common knowledge that crime rates in southern cities are higher than elsewhere in the United States.

Embarrassed by this fact, Dixie police officials for years without evidence to support it have blamed the high prevalency on large colored populations.

Now comes a survey which proves this simply is not true.

Anram Schienfield in the current Cosmopolitan magazine presents figures to show the proportion of colored citizens to white in a given city has nothing to do with that city's crime rate.

Prime examples are provided in Birmingham and Memphis with 40 per cent of their populations colored.

Incidence of crime for these two cities is considerably less than it is for Louisville, Dallas and Knoxville, three cities with colored populations of only 16 per cent.

Not race, but social and economic caste lines are responsible, Mr. Schienfield concludes. The resulting disparity between levels of the population provides more conflicts, he says.

We find no reason to disagree.

Foresight

P. 2

For the first time, the U. S. counted up more than 2,000,000 important crimes last year, compared with 1,882,160 in 1951. And of all the arrests in cities, 13 percent of the persons were under 21. Of the arrests made last year 73 percent involved white persons and 25 percent Negroes. Eight times as many males as females were arrested last year. Perhaps the decline in colored crime is due to an improvement in educational opportunities under the threat of ending the "separate but equal" schools of the South, where Negroes are concentrated, or perhaps its the kind of stubborness displayed by Gov. Morris de Castro of the Virgin Islands when he vetoed a measure liberalizing the residence requirements for persons seeking a quickie divorce which would have turned the colored-populated islands into another vice-swarming separation ghetto . . . Lt. Col. Dennis Nelson visited Great Lakes Navy Training Center the other day with Defense Department assistant Jim Evans. He was floored when an educational class of more than 100 Navy-inducted illiterates had only one colored and that a stewards training class had three white. My gawdamighty, the sun do' move.

4th Of Arrests Hit 10th Of Population

(39)

Afro-American

Baltimore Md.

Sat. 7-25-53

P. 14

WASHINGTON (NNPA) — Although the nonwhite population of the United States represented 10.8 per cent of the total, slightly more than 25 per cent of the persons arrested for crime in 1952 were colored, according to the uniform crime reports for the United States and its possessions, issued by the FBI.

Almost 73 per cent of persons arrested were white, while Indians, Chinese, Japanese and all others constituted less than two per cent.

The total number of persons arrested in 1952 in 232 cities with populations over 25,000 (the total population of these cities was 23,[illegible], based on the 1950 census) was 1,110,675, of whom 808,357 were white, 281,442 colored, 17,908 Indians, 223, Chinese, 119 Japanese and 2,626 belonged to all other racial groups.

Two-Thirds Of Murders

Of 1,288 murders committed in the United States in 1952, the FBI reports, 444 were committed by white persons and 829 by colored; of 6,554 robberies, 3,617 were committed by whites and 2,890 by colored;

Of 11,882 aggravated assaults, 4,270 were committed by whites and 7,555 by colored; of 22,744 burglaries, 15,752 were committed by whites and 6,878 by colored; of 39,871 thefts, 26,784 were committed by whites and 12,800 by colored.

Not Worst Thieves

Other arrests for crimes by race included 9,641 white persons and 2,274 colored persons for auto theft; 5,356 white persons and 1,133 colored for embezzlement and fraud; 1,166 white persons and 597 colored persons for buying or receiving stolen property;

Some 3,398 whites and 559 colored persons for forgery and counterfeiting; 1,257 whites and 781 colored for rape; 8,783 whites and 3,546 colored for prostitution and commercialized vice; 7,401 whites and 2,459 colored for other sex offenses.

Also arrested were 1,635 whites and 1,447 colored for violations for the narcotics drug laws; 3,257 whites and 4,744 colored for carrying or possessing weapons; 7,750 whites and 3,224 colored for offenses against family and children; 8,726 whites and 7,358 colored for liquor law violations.

Nor Drunken Drivers

Other arrests by race included 34,586 whites and 6,375 colored for driving while drunk; 80,397 whites and 43,772 colored for disorderly conduct; 404,245 whites and 85,614 colored for drunkenness; 34,744 whites and 10,155 colored for vagrancy; 8,133 whites and 18,558 colored for gambling; 32,491 whites and 11,577 colored on suspicion.

These figures reflect an upsurge in crime of all kinds for an overall increase of 8.2 per cent over the 1,882,160 estimated crimes in 1951.

Crimes of violence rose 10.2 per cent while burglaries and thefts increased 8 per cent. The total of 2,036,510 major crimes estimated for 1952 reflected a continuance of the general rise in crime noted at the mid-year point of 1952.

Avoid Odious Comparisons

The FBI in its crime reports urges caution in comparing crime data for individual cities because differences in figures may be due to a variety of factors.

Some of the factors the FBI lists include population of the city and of its adjacent metropolitan area, the composition of the population with reference particularly to age, sex, and race, the economic status and activities of the population, educational, recreational and religious facilities and the policies of the prosecuting officials and the courts.

1952 Statistics Produce Crime-Race Breakdown

P. 4

Sat. 8-1-53

WASHINGTON, D. C. — Publication of 1952 crime figures last week by the FBI revealed Negroes by proportion committed more crimes of violence and passion than whites.

But in those crimes where premeditation is necessary the figures showed greater prevalance among whites.

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Thrill Seekers Boost US Crime

(A U. S. Senator calls it a "Fifth Horseman" abroad in the U. S.—a horseman called juvenile delinquency. A nationally-prominent judge says juvenile crime is more dangerous than the atomic bomb, or Communism. Congress plans an extensive coast-to-coast investigation of teen-agers in crime. Herewith, in the second article of a series, International News Service presents results of a national survey of juvenile delinquency in the country's big cities, prime breeding ground for the youthful outlaw.)

By FREEMAN FULBRIGHT
International News Service Staff Writer

The trouble with kids today, says a veteran Denver juvenile judge, is that they are looking for "a free lunch, they are dropping the old ideal of Horatio Alger and religious beliefs."

Philip B. Gilliam, president of the National Council of Juvenile Judges and a judge for 17 years, adds in stern warning:

* * *

"THE APPARENT LACK of morality and religion among youth is more dangerous to America than the atom bomb or Communism. For great nations fall from within. The youth of the nation need a spiritual dedication."

In San Antonio, Texas, the head of the police juvenile division declares: "We're making too many excuses for our juveniles."

Journal and Guide

* * *

CAPT. G. E. MATHENY has been head of that division since 1947 and he blames the parents for part of the trouble. Matheny says:

F, 13 Norfolk, Va.

"Seven out of 10 know that their parents will uphold them, the kiddies can do no wrong, like one mother who in front of me turned to her boy: 'Son, tell that man you didn't do it'—and that in the face of absolute proof."

Sat. 10-17-53

WHATEVER THE REASON, whoever is to blame, more than a million children get into trouble with the police each year.

That's the word of U. S. Senator Robert C. Hendrickson (R) N. J., chairman of a Senate Judiciary subcommittee which plans a nationwide probe of juvenile crime this fall.

* * *

HENDRICKSON SAYS THAT figure will soar to nearly one and a half million by 1960 even if the present rate of increase levels off.

Hendrickson's group plans to investigate juvenile crime in about 20 cities, starting out in Washington in early November. The subcommittee already has preliminary reports of the problem in those cities.

International News Service got more detailed reports—facts and figures—in a nationwide survey conducted by its bureaus in major cities.

* * *

NINE CITIES CHECKED by INS showed increases in juvenile crime. Four others—New York, Los Angeles, Detroit and Boston—claimed decreases, though the Senate committee reported otherwise.

All officials interviewed pointed to population increases in commenting on teen-age law-breaking.

* * *

HEREWITH ARE THE results of the INS survey with the Hendrickson Committee's preliminary reports in brackets:

Chicago—In 1946, 8,443 cases of boys under 17 years old and girls under 18 were referred to Cook County Juvenile Court. In 1952, there were 10,880 such cases. In the first six months of 1952, Cook County Family Court handled 743 cases of auto theft, 643 ungovernables, 336 sex offenders, 72 juveniles accused of robbery.

* * *

IN THE SAME PERIOD of this year, there have been 884 cases of auto theft, 686 ungovernables, 338 sex offenders, 129 robbery defendants—an increase in each classification.

(Said the Senate Committee about Chicago: "Known serious juvenile gang problem. Long-standing general problem." And the Committee added this about nearby Gary, Ind.: "Known juvenile gang problems in a relatively small community.")

* * *

PHILADELPHIA—Capt. Howard R. Leary, head of Police Juvenile Bureau, reported "There is no question but that juvenile delinquency is on the increase here . . . percentage-wise, it is up about 10 per cent for boys, and a little more than that for girls, over last year's figures."

(The Hendrickson Subcommittee said: "Known juvenile gang problem.")

* * *

CLEVELAND—Juvenile crime up 11.4 per cent for first six months of 1953. Total of 1,613 juvenile cases handled in that period, compared with 1,447 for the same period last year.

(The Senate probers said: "General, typical problems, including that of gangs.")

* * *

ATLANTA—Police Chief Herbert Jenkins: "Juvenile crime and victimization of older people is increasingly a problem in Atlanta as elsewhere." No statistics available. (No committee comment on Atlanta.)

San Antonio, Tex.—Juveniles handled in 1950, 1,585; in 1951, 1,819; in 1952, 2,311. At half-year, 1953, running 400-500 ahead of same period of last year. (The Senate Committee said there is a "known juvenile gang problem" plus "conflict between gangs of Anglo-Americans versus (youths of) Latin-American backgrounds.")

* * *

FORT WORTH, TEX.—Tarrant county Juvenile Officer E. I. McGee: "There is definitely a juvenile crime problem . . . Teen-age crime has increased, both in seriousness and amount. Ten years ago we spent most of our time investigaing truancy and runaways. Now we spend it on cases involving car thefts, burglaries, and armed robberies." No accurate figures for comparisons, McGee said. (No committee report on Fort Worth.)

Houston—Police Chief L. D. Morrison says juvenile crime is a problem, and it is increasing. The numbers of both first and second offenders increased in the first six months of this year, compared with the last half of 1952. The number of second offenders leaped from 1,072 to 1,241 in that period; that of first offenders went up less, from 1,968 to 1,978.

* * *

WASHINGTON, D. C.—In the fiscal year ended last June 30, there was an 18 per cent increase in the number of delinquent children and a rise of 22 per cent in number of delinquency complaints filed. The receiving home where juveniles are detained for court action handled 2,369 children during the year, an increase of 32 per cent over the previous year. Forty-five per cent were repeaters. Welfare Director Gerard M. Shea reported the increase involved "more serious types of offenses"—assaults, robberies, housebreakings.

(Said the Senate Committee about its own backyard: "Known juvenile gang problem; burglary, drug addiction . . .")

* * *

DENVER—Cases in Juvenile Court are now 50 per cent above normal. Capt. Leonard Nevin of Police Juvenile Bureau: "Denver's young criminals are getting younger. The juvenile instituion has housed blustering hoodlums as young as seven years old." (Committee comment: "Juvenile gang and other problems.")

The Senate group plans hearings in all the cities previously listed plus New York ("A very serious and long-standing juvenile gang problem"); Newark, N. J., ("Known juvenile gang problem"); Milwaukee, ("Growing juvenile gang problem which is taking more aggressive form"); Buffalo, N. Y., ("Growing juvenile gang problems"); Kanasas City, Mo., ("High volume of juvenile delinquency"); Baltimore, Jacksonville, Fla., Memphis, Tenn., New Orleans, Oklahoma City and San Francisco.

Georgia Scandal:

Three Babies Born in Prison

Romance Behind Bars Told

13 9

ATLANTA, Ga.—The birth of three children to a Negro woman at Tattnall State Prison within the last five years came to light last week during a joint General Assembly committee probe of prison camp conditions.

The name of the woman prisoner was withheld pending further investigation.

However, Department of Correction records reveal that the woman became pregnant in 1949 while serving at the penal detention branch at Battey State Hospital in Rome, and working as a servant at the hospital. The first child was born in September, 1949, at Tattnall Prison, to which she was transferred.

Later transferred to Chatham County public works camp, the woman reportedly became pregnant again. The second child was born in Tattnall Prison in March. 1952.

The third child was born in July of this year at Tattnall Prison.

According to information, the three children born to the woman at the Reidsville Prison are being cared for by a sister of the prisoner in Atlanta. The Atlantan revealed she is receiving state welfare funds for their support, getting $51 a month in aid-to-dependent children funds for two of the children.

A report to Director of Corrections R. E. Warren said the **woman became pregnant after being assigned to work in the flower garden of the women's building at Tattnall and slipping away to meet a male inmate.**

Officials promised a tightening up of regulations to prevent similar future occurrences.

Boy, 14, Charges Assault; Man Is Bound Over Here

BY GEORGE COLEMAN

11-24-53

The white owner of a car washing company was bound over to the Fulton Criminal court early yesterday to face assault and battery charges made by a 14-year-old Negro youth who declared the businessman struck him with a baseball bat during an argument over wages.

Lester Avery, owner of the Quick Car Wash, 1241 Lee St., was bound over Monday morning by Municipal Court Judge A. W. Callaway, who said the county would have to settle the matter.

Callaway, who set the assessing of $100 bond to Avery, explained to the court that it did not indicate the city court had decided on the suspect's guilt or innocense.

But Avery, who declared he had merely "pushed" the youth off his property, but admitted having a baseball bat in his hands for self protection, immediately announced upon being told he had to face the county court, that he wanted the boy arrested for creating a disturbance at the car wash establishment.

FLANKED BY PARENTS

The youth, Ralph Allen, 14, of 52 Anderson Ave., Apt. 5, came into court with his mother and father, and Attorney Austin T. Walden acting as counsel for prosecution.

The youth, flanked by his parents told the court that Avery struck him with the bat November 14 when he refused to accept **$1.50 pay for five and one half hours work at** 50 cents an hour.

Allen declared that many of the boys washing cars had been grumbling and threatening to quit work that morning, but insisted that he did not take part. He said that trouble developed when he was unable to wash the lower portion of cars because of a back injury sustained while playing high school football.

He said he asked for his pay when Avery accused him of causing other boys to quit, and was ordered off the property when he refused to accept $1.50 for pay. Allen declared he had $2.25 coming.

Finally, Allen said, he started to leave, but "when I almost got out of the door he hit me with a baseball bat."

TREATED BY DOCTORS

11-24-53

His mother told the court that her son came home with a large whelp on his shoulder and a red spot on his back. She said he was score all day the following day and was treated by a physician for muscular spasms.

His father said that though there were no broken places on his back. X-rays were taken which would prove his injuries were not slight.

Detective W. D. Browning, who investigate the issue, told the court that Allen claimed the man struck, and that Avery denied it, and then Avery's brother was called to the stand.

Hugh Avery, who declared he didn't know what started the issue, but said the boy refused his earnings, and added that when his brother threatened to call police the youth countered, "Go ahead and call them."

Avery said his brother then shouted, "I'll give you three to get out, and then "pushed" him out of the door. He said his brother did have the bat in his hand but did not strike Allen.

TALKED BACK

The suspect, however, told the court that Allen "was telling all the boys to quit."

"He was stubborn and continued to talk back to me," Avery declared. Avery said he had no special pay rate, and didn't feel Allen had worked more than he was offered in pay.

When he "continued to talk back to me," Avery said, his manner became threatening, and he picked up the bat to protect himself.

"I wasn't going to hit him," Avery declared, and added "When we got to the door I pushed him out".

Avery said he did not use anymore force than was necessary to get the youth off his property. He added police came later to arrest him, but after hearing his version, left with instructions that detectives would handle the case.

Attorney James C. Thomas, who defended Avery questioned Allen and asked him why he refused to leave the car wash lot. Allen answered, "I thought he was going to call the police, and that they would make him pay me my money."

Man Booked As Driver in Fatal Chase

13 9a

William Boyd, 25-year-old Negro, identified by messengers as the driver of an automobile involved in a police chase Tuesday that resulted in the death of one officer and injury to another, was arrested yesterday, police said.

Patrolmen J. F. Hasty and C. A. Cole, who were attempting to halt the speeding car when a second patrol car crashed into a utility pole on Jonesboro Road, SE. found Boyd sleeping on a sofa early yesterday at 131 Crumbley St., SW, they reported.

Boyd, who police said was driving an automobile reported stolen in South Carolina, failed to make "Dead Man's Curve" on Jonesboro Road and tore into the yard of a home, patrolmen said. Hasty and Cole managed to stop, but a second patrol car following immediately behind them, crashed into a utility pole.

Patrolman William G. Turner was killed and Patrolman A. L. Melton suffered severe cuts and bruises.

Six passengers in the lead car, who were arrested soon after the accident, identified Boyd as the driver, officers said. The driver fled after the crash and had been the object of a widespread search, police said.

12-3-53

Federal officers will investigate the charges of transporting a stolen automobile across a state line, patrolmen said.

Hasty and Cole said they made charges of speeding 100 miles an hour, overrunning three stop signs, overrunning three red lights, four improper turns and driving on the wrong side of the street.

Handcuffed and placed in a patrol car to be brought to headquarters, Boyd kicked and fought most of the ride, patrolmen said. They added he would face an additional charge of assault and battery when the other charges are disposed of.

OUR NEGRO COMMUNITY

Evangelist Launches Drive To Cut Murder Rate Here

By CLAUDE GEORGE SR.

The Rev. Taschereau Arnold, well-known Baptist evangelist, yesterday expressed alarm at the high rate of murders among Negroes in the Atlanta area and announced plans for a one-man crusade aimed at solving the problem.

The Rev. Mr. Arnold said the problem is particularly bad in Atlanta because a large number of Negroes who have moved here from small towns and remote rural sections "find themselves unprepared socially and economically to cope with city life."

T. Arnold

These people, he said, feel they are rejected by Negroes of higher income groups and therefore become bitter. Some of them are apt to commit murder without provocation.

Constitution

Love spats constitute a leading cause of murder among Atlanta's Negroes, he said.

P 11

Sweethearts who make false promises to each other and wives and husbands who doublecross each other often end on the homicide list.

Atlanta

He pointed out that in 1952 Atlanta police records show there were 86 cases of homicide among Negroes.

Ga.

Dec. 12-29-53

The Rev. Mr. Arnold said the first step in his crusade will be to seek support for making movies based on Negro murder cases. He said he plans to show the films in churches and to other Negro organizations.

Exceeds Seal Quota

Alpha Phi Alpha fraternity at Morehouse College exceeded its $25 tuberculosis seal quota by selling 2,000 seals for $45.

Amount collected does not include stamps purchased through the mail by members of the faculty and the administration staff. John W. Anderson, president of the fraternity, conducted the campaign.

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speaker. He will be introduced by Dr. L. A. Pinkston, first vice-president of the convention. Attorney A. T. Walden will serve as master of ceremonies.

Ministers who will make an appeal for the National Association for the Advancement of Colored People are Dr. M. L. King, the Rev. J. A. Hurley and Bishop J. W. E. Bowen.

The newly-organized Youth Chapter of the NAACP will be presented for the first time by C. L. Harper, president of the Atlanta branch.

Police List First Slaying Of Year Here

moved
P. 1
Atlanta

With the new year a scant eight days old, Atlanta witnessed its first slaying of 1953 yesterday when a 55-year-old white tavern operator fired four shots into the body of a 49-year-old Negro, who was accused of creating a disturbance after drinking a bottle of beer, police reported.

Ga. 1-9-53

The dead man was listed as Sam Almond, 49, of 205 Ellis Street, N. E. Police said he sustained four pistol wounds—one in the head above the right eye, one in the pit of the stomach, and one in each thigh.

Homicide Squad Detective M. [illegible] Johnson and M. W. Blackwell reported they arrested a white man listed as Sam S. Terrana, 55, 412 Hill Street, S. E., in connection with the slaying.

Terrana, himself slightly wounded, was interviewed at Grady Hospital, but police said he spoke "very little English," and they were unable to gain an accurate account.

However, three Negro witnesses were quoted as saying the shooting grew out of an argument over payment of a bottle of beer.

Almond, they said, entered the Globe Restaurant, located at 228 Houston Street, N. E., about noon, ordered and drank a bottle of beer. After drinking the beer he allegedly asked for his change, declaring Terrana owed him a quarter.

The report added, "The proprietor proved by the witnesses that he had given the deceased person his change."

Ga. 1-9-53
13 Ga.

An argument then sprang to life and the proprietor and his brother ejected Almond from the establishment. A few minutes later Terrana carried a box of trash outside and Almond attacked with bricks, inflicting abrasions on his head and arm, witnesses continued.

Terrana pulled a pistol from a holster and fired four times. Police said Terrana had a Fulton County permit for the pistol. The reported listed two motives for the shooting. One was "revenge," and the other was listed as "self defense."

Top Columbus Officials Hold CrimeDiscussion

13 Ga.

COLUMBUS, Ga. — (SNS) — Overindulgence in the use of alcoholic beverages and Honky Tonks are the chief causes of the appalling number of local crimes, Superior Court Judge T. Hicks Fort told a panel of law enforcement officials and local citizens who met in Judicial chamber of the Courthouse to discuss Ways and Means of combatting this grave problem.

During the past week end, Dr. T. Brewer, prominent lacal physician and civic leader, brought the local crime increase situation to the attention of the local public in a newspaper article calling for a meeting of white and colored leaders to discuss the matter.

An estimated 30 odd citizens consisting of law enforcement representatives, members of the Columbus-Phenix City Interdenominational Ministerial Alliance, Columbus Ministerial Alliance and interested individuals attended the meeting.

Thurs.

Sol. Gen. Russell Davison was selected to act as moderator by Dr Brewer.

1-15-53

Speakers in addition to Judge Fort, in asking for solutions to the local crime wave problem mentioned such possible conclusions as elimination of liquor stores from residential areas, a strictly enforced curfew law for minors, additional Negro Police to patrol other heavily populated colored residential ares. Negroes to participate on all juries, stricter application of the law involving affrays between Negroes and a number of other suggestions.

In is comment to a local newspaper, Dr. Brewer said that "killings" and "cuttings' were increasing among his race here.

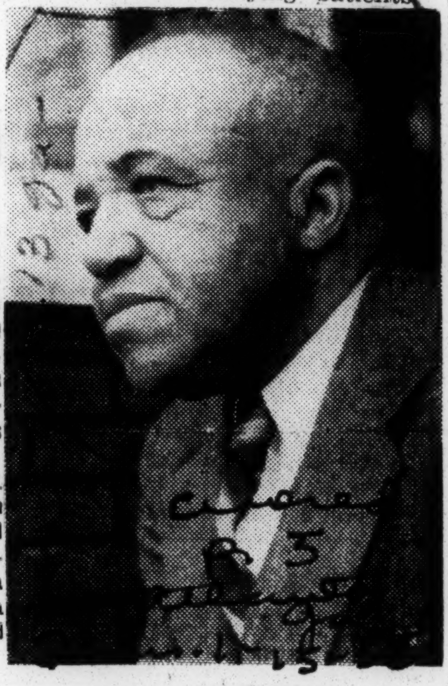
He went on to say that the problem was serious and there should be a plan to eliminate it.

P. 5

A majority of the victims were not financially able to enter City Hospital other than as charity cases, Dr. Brewer explained and both white and colored tax payers have to foot the hospital bills.

Eight or ten Negro victims of knife wieldings or shootings are usually confined in City Hospital at once, he said, thus causing a problem at the hospital in providing facilities for paying patients.

Thurs. 1-15-53



DR. T. H. BREWER

Other speakers participating at the meeting included Dr. T. W. Smith, Dr. T. H. Brewer, Dr C H Pickett, Mr E E Farley, Rev C. C Cloud, Sol General Russell Davison, Rev. R. B. Williams, Reverend Primus King, Rev. B. W. Flangan, Dr. W. R. Walters, Rev. L Vontress, Mr E. G. Jenkins, Rev A W Townsend, Mr C. A Hixon, Rev. R M. Ferrell and Mr. P. L. Taylor.

Muscogee Couty and local law enforcement officials in attendance included Judge T. Hicks Fort, Mayor I. Lawrence Shields, Safety Director Tom A. Erwin Jr., Muscogee Sheriff E. F. Howell, County Police Chief W. F. Tuggle, Recorder Frank Garrard, Sol. Gen. Russell Davison, City Court Solicitor W. B. Skipworth and Municipal Court Judge Bradford Bagley.

Poison Liquor Deaths Bring 2 More To Court

moved
P. 1
Atlanta, Ga.

Two persons are scheduled to be tried in Fulton Superior Court Thursday on charges arising out of the "poison whiskey epidemic" of 1951.

Court records listed the two as Richard Weems and L. O. Riggins. Five two-count indictments were returned against the two and a white Atlantan.

Tues. 1-20-53

They are accused of slaying Elijah Thomas Foster, John W. Blount, Milledge Lawrence, Lawrence Lewis and Annie Daniel Blount.

John R. "Fats" Hardy was convicted on a similar charge. The Supreme Court upheld his conviction last year.

13 Ga.

The five indictments are couched in similar terms and set up that the men "did unlawfully, with malice aforethought, kill and murder Elijah Thomas Foster by manufacturing, and furnishing and causing to be furnished to the said Elijah Thomas Foster, a solution of methyl alcohol commonly known as 'wood alchohol,' a poisonous liquid, and other liquids and ingredients to the Grand Jurors unknown, under the guise of representation that said liquid was whiskey and was fit for human consumption..."

Atlanta Killings Hit Highest Peak In Last 6 Years

moved

BY LERONE BENNETT, JR.

Atlanta

Atlanta homicides ballooned to a six-year high of 102 during 1952, according to statistics quoted in the 73rd annual report of the Police Department.

Thurs. 2-12-53

The report, issued by Chief Herbert T. Jenkins, indicated that the 1952 homicide toll jumped over the 101 total of 1950. Of the persons killed during 1952, 86 were Negroes.

P. 1

The report showed that 141,156 cases were booked by the Municipal court in 1952. The traffic court tried 71,500 of these cases.

Whites committed fifteen murders and non-negligent manslaughters. Colored males were charged with 69 murders and manslaughters and females with nineteen.

Negroes also lead in the number of aggravated assaults, 546. Whites committed only 283, according to the report.

White persons topped the lists of forgeries, auto thefts, prostitution and vice, drunkeness and embezzlements and frauds. Five hundred and forty-four Negroes were booked on charges of carrying concealed weapons as compared with 121 whites.

13 Ga.

The annual police report revealed that 512 Negroes between the ages of 16 and 21 were booked by police officers. In the same age range, 458 whites were booked.

The report showed that twelve Negro patrolmen are employed by the department. These patrolmen made a total of 12,711 arrests over the twelve month period.

Negro patrolmen arrested 4,545 persons for being drunk on the street, 654 for idling and loitering, 566 for violating the knife ordiance and 850 for violating the traffic ordiance.

Thirty-six officers resigned during the year. Presumably they were replaced by white officers.

The report listed Negro patrolmen as Alphonse Copeland, Claude Dixon II, C. E. Harvey, R. B. Hendricks, Henry Hooks, John Hudson, Ernest Lyons, Robert McKibbens, James McKinney, C. E. Mundy, C. J. Perry and Willard Strickland.

Policewomen are Mesdames Eunice Butler, Catherine Duncan, Neffie Evans, Phoncee Fitzpatrick, Sarah Greene, Hattie Hill, Myrtice Rawls and Nellie Sellers.

Attorney Asks Stay Of Second Death Penalty

moved
P. 1

Involved legal moves were launched Thursday to save from the electric chair a 33-year-old Negro condemned for the beating and $1.50 robbery of a white woman.

Atlanta, Ga.

Fulton Superior Judge [illegible] Andrews, who imposed the mandatory death sentence upon Howard Leroy Booker, has under consideration a request for a stay of execution pending filing of motion for a new trial. Such action is normal procedure for perfecting an appeal to a higher court.

Booker was the third person given the maximum penalty upon conviction of "robbery by open force and violence." Henry Hayes, also a Negro, died Aug. 24, 1945 following conviction in Atlanta for beating and robbing a woman of her purse containing $9. Another man was sentenced to die under the same law, but in a second trial was given life.

13 Ga.

Booker was accused of snatching the woman into covering of a thicket, beating, kicking, stomping and cutting her before escaping with her purse, which contained $1 50 and two bus tokens.

He was tried once before on the same "robbery by open force and violence" charge, but the case ended in a mistrial. While awaiting the second trial, from which the death penalty resulted, he was tried and sentenced to 20 years for attacking another woman in nearby Clayton County, Ga. He also faces a charge of assault with intent to rape in the Atlanta case.

Fri. 3-13-53

No date was set for filing or arguing the new trial motions. A stay of execution would be automatic, however, while the court considers such motions.

Fulton County Superior Judge E. E. Andrews imposed the mandatory sentence of death, to be carried out May 1, after an all-white jury refused Howard Leroy Booker's plea for mercy and convicted him without recommendation.

Judge Andrews has under consideration a request for a stay of execution pending the filing of motions for a new trial. Such action is usual procedure for perfecting an appeal to a higher court.

Jenkins Will Air Charges Of George Prather

BY GEORGE COLEMAN

Chief of Police Herbert T. Jenkins said yesterday that he will order a full investigation into circumstances surrounding the injuring of George Prather near the Farmers Market at Lee Street and Murphy Avenue.

Chief Jenkins said he had not been aware that the event had taken place, but promised to clear the matter up.

P. C.

PRATHER'S ARREST

Little is known about the case that resulted in Prather's arrest on a charge of resisting arrest, other than he is a patient at the Hughes Spalding Pavilion with a broken nose and right hand, and multiple facial bruises.

The Westside Voters League adopted a resolution last night deploring the incident. Attorney Cassandra E. Maxwell offered a resolution whch was adopted by the group.

Wed. 5-20-53

The identity of three white men who Prather said beat him after cornering him with drawn pistols and blackjacks has not been revealed. Police records only show that he is charged with disorderly conduct-resisting arrest, and list the arresting officer as T. H. Leathers.

STATE PROPERTY

Police identified Leathers as a retired city policeman who is now employed as a state policeman. The Farmers Market is state property, and state men are used to patrol that particular vicinity, police said.

Records also show that Prather had posted bond of $100 pending a future hearing.

Prather, however, said that the men who attacked him refused to identify themselves as police officers, but later turned him over to an unidentified patrolman who took him to jail.

Prather, a popular businessman, said he was attacked after leaving the market, and not on state market property. He had taken his mother, Mrs. Ida Prather, of 146 Griffin Street there to purchase groceries Sunday morning, he said.

In Atlanta

Business Man Beaten By 3 Thugs

By WM. FOWLKES

ATLANTA, Ga. — George Prather Jr., 27-year-old businessman and war veteran, was brutally beaten by three white men in the presence of his school principal mother, it was revealed last week as family-retained legal counsel and city police moved to bring the perpetrators to justice.

Sat. 5-30-53

Prather's nose was shattered, his right hand broken and his head showed evidence of several blackjack blows as he lay in a private hospital.

His attackers were identified as deputized police and associates at the State Farmers Market in Southwest Atlanta. However, Prather reportedly was beaten several blocks away from the market.

According to the vice president of the Atlanta Business League and president of Standard Chemical Company, he had taken his mother, Mrs. Ida Prather, to get groceries at the market early Sunday morning. Mrs. Prather is principal of College Park Elemenary School. Prather said there was a traffic jam in the Murphy Avenue-Lee Street area. A white motorist was said to have insultingly ordered Prather to get his car out of the jam, and Prather said he answered in like fashion.

As he drove away from the area, Prather related that a car containing three white men drove up and they allegedly ordered him to drive over to the curb, brandishing pistols. When Prather reportedly was finally forced to stop and get out of the car at gun-point, the men were said to have pounced on him with fists, blackjacks and pistol butts. One of the men threatened to shoot Prather, it was stated, and all were declared to have announced they were going to teach Prather "how to talk to white people."

Following the beating, Prather was forced into his assaulters' car, he said, one of the men taking the wheel of his auto and driving his mother back to the State Market. City police were called and a "rusty knife," which the men allegedly claimed Prather tried to cut them with, produced.

Prather's father, Atty. George Prather, and family employed Atty. Dan Duke to investigate the brutality.

False Report Laid To Rob 'Victim'

Constitution

A 28-year-old man, who reported on Oct. 17 he was tied up and robbed by a Negro bandit and left in woods off Peachtree Battle Ave., NW, near Howell Mill Rd., was jailed Saturday on a charge of making a false report, police records show.

He was identified as Wilmer G. Shie[illegible] 200 De Gr[illegible]s Ave., NE, a route salesman for a local laundry at the time of the reported robbery.

Atlanta Ga

Prather Wins The Second Round

In the City Recorder's Court yesterday morning charges of disorderly conduct, using of opprobrious language in the presence of a female were dismissed against George Prather, Jr. after Defense Attorney Dan Duke insisted that the charge, even if true, was a state offense and could not be tried in the city court.

The point is that when a charge of disorderly conduct is made officers are required to spell out specific charges. And the charge must be only a city offense if the defendant is to be tried in city court.

P. C. World

The case originated on Sunday, May 17 when a white motorist at the state market on Lee Street exchanged epithet during a traffic jam with Mr. Prather. A former white policeman who is a special deputy at the market place heard the exchange of words and later got two other deputies and followed the car in which Mr. Prather and his mother were riding out Lee Street towards College Park. Mr. Prather has stated to the press that these three white men forced his car to a hault and at gun point forced him out of his car, while refusing to identify themselves, and viciously attacked him with their fists and blackjacks. Mr. Prather's finger and nose were broken and he received wounds from a blackjack on his head. He was later arrested and the above state charge made against him. The hearing came up in City Recorder's Court yesterday.

Tues. 6-2-53

As was also contended by Mr. Duke the prosecutors of Mr. Prather should have been defendants for their attack upon a citizen without just cause.

Atlanta, Ga.

We have known Mr. Prather, a young business man, and the victim of the attack for some time. He is the son of a father who is an attorney and a mother who is a school teacher and has a good reputation in this community.

Considering the facts in this case we are happy of the decision in the second round. We commend the large number of reputable citizens who appeared for the hearing and were ready to testify to the defendant's good character if it had been necessary. We hope the case will be persued further and that those who are responsible for the attack on a person whom we consider a good citizen will be appropriately punished for their action.

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4 Soldiers And Woman Draw Terms For Alleged Beating

World P. C. Atlanta

FORSYTH—(SNS)— Sentences ranging upward from 18 months to from five to eight years were given four young Negro soldiers from Ft. Benning convicted in Monroe County Superior Court Wednesday of assault with intent to murder on a white farmer Sept. 21. A woman who was with the soldiers at the time of the alleged assault was also given a jail sentence.

Robert Lee Hammon was given a five to eight year term: Albert Cooper, three to five; Hilliard Buchanan, three to five; and Roscoe Williams, sentenced on a misdemeanor charge, 18 months. Miss Catherine Hannon, who was reportedly riding with the GI's at the time of the attack on one Franklin Pierson, received a sentence of 18 months.

The state contended that Pierson was beaten and cut by the soldiers who forced him to stop his car near here.

13 1953

GERMANY

German Offers To Die For Condemned GI

Defender

P 2

WUERZBURG, Germany — (ANP) — A German serving a life sentence for murdering an American soldier, offered last week to go to the gallows for a United States Negro soldier who had been condemned to death for strangling a German woman who ridiculed his race.

Def. 6-27-53

The U. S. attorney's office here said, that Heinz Beck offered to take the place of Pvt. Thomas F. Edwards of Ardmore, Okla.

"Everybody who has committed a crime should be given one more chance," Beck was quoted as saying. "Myself, I don't need this chance anymore."

6-27-53

United States officials, however, said that there was no possibility that Beck's life-for-death proposal would be acceped.

The German has been held in the Straubing prison since his conviction in 1951 of murdering an American soldier. Capital punishment is prohibited under the Bonn constitution.

13 1953

ILLINOIS (NARCOTICS)

SENT TO JAIL FOR FIVE YEARS IN DRUG CASE

James Kelly, 24, of 3847 S. State st., an ex-convict, received the maximum jail sentence of five years in the Bridewell by Judge Alfon F. Wells of Narcotics court yesterday on a charge of possessing drugs.

Kelly, a Negro who police have suspected for months of peddling drugs, was seized Oct. 22 in the lobby of a hotel at 3621 S. State st. Detectives found 89 capsules of heroin in one of his socks. He had been released from prison last year after serving a 1 to 2½ year sentence for violating probation given him in 1947 on a robbery charge.

Judge Wells also imposed a six month sentence in the Bridewell on Mrs. Alta Cowgill, 27, of 939 Webster av. on a charge of attempting to obtain narcotics. She was seized Sept. 19 while trying to obtain drugs on a forged prescription in a west side drug store.

Last July 10, Mrs. Cowgill and her husband, Bergen, were arrested when he was caught trying to burgarize a drug store at 2059 Belmont av. while she sat nearby in a car. Cowgill subsequently committed suicide in the Sheffield av. police station.

P. 8

11-13-53

SUSPECT FACING U.S. DOPE TRIAL SEIZED AGAIN

Federal narcotics agents disclosed yesterday that John Nathaniel Spurlark, 39, Negro, of 4131 Drexel blvd., who is scheduled to go to trial today in federal District court on a charge of selling 218 grains of heroin in 1952, was arrested late Wednesday on a new charge of selling 4 ounces of the drug recently to undercover agents. Spurlark, owner of a jewelry store at 440 E. 43d st., was arraigned yesterday before United States Commissioner C. S. Bentley Pike, who continued the hearing on the new charge until Nov. 18 and set Spurlark's bond at $10,000. Spurlark was at liberty on a $2,500 bond on the earlier charge.

11-13-53

13 1953

INCEST- North Carolina

Rape Daughters, Gets 15 Years

GREENVILLE, N. C.— (ANP) A 35-year-old Pitt County farmer was sentenced here last week to 15 years in State Prison despite his steady plea that he was not guilty of attempting to rape his two young daughters. Judgement was suspended on the charge of a second attempt.

James Jones, jr., after trial in Superior court in Greenville, was found guilty of assault with intent to commit rape on his older daughter, and assault on a female in connection with charges surrounding the attack upon his younger daughters. The girls were 13 to 12 years of age. The alleged incident occurred between in Oct. 4 and Oct. 16.

COLLECTION BY FORCE:

Who Beat Colored Client Sentence Finance Trio

13 La

SHREVEPORT, La. (ANP)—The practice of loan company collectors using violence on colored borrowers who become delinquent in their payments received a setback in city court last week when Judge Ruvian D. Hendrick sentenced three white men for battery on a colored man.

Judge Hendricks described the offense as "one of the most vicious cases ever to come before me." The three men sentenced in connection with the May 30 beating of Roosevelt Williams, were S. D. Jesey, 27; W. E. Allen, 27, Bessier City, La., and W. E. Miller, 27, all collectors for local finance companies.

Each was ordered to pay $250 or serve six months in jail on default of payment, and to serve 90 days in jail.

$700 Bill

The trio reportedly left a baseball game between 11 and 12 p.m. and drove to Williams' home about an account of some $700 Williams allegedly owed Family Finance.

Williams testified that the men came on the porch of his house and one represented himself as a policeman saying he had an arrest warrant.

When Williams asked what he had done, one of the men yelled to another in the station wagon, "Get my pistol." Williams said he left with the man after telling his wife to telephone a friend and have him bailed out of jail.

He said one of the men struck him. Then they drove him to the Family Finance Co., drew the blinds and Jesey and Allen beat him unmercifully. Miller stood watch outside. They turned him loose between midnight and 1 a.m. and he went home.

Other Reports

Judge Hendrick, in passing sentence said he had received a number or reports of local finance companies using similar tactics.

P. 19

Dat. 7-4-53

ATTEMPT ON NEGRO'S LIFE NETS SENTENCE

13 La

NEW ORLEANS — (ANP) — A Negro does have some rights that a white man is bound to respect No one knows this better than Vincent Reviere, 30, who was sentenced to life imprisonment last week for the attempted murder of Ulysses Joseph, June 7, 1952.

On the above date, Reviere and Joseph, both driving cars collided. Reviere, a police character, shot Joseph following a heated argument and was booked by the police for attempted murder.

Asst. Dist. Atty. Philip J. Trice Jr. called Judge J. Bernard Cooke's attention to the fact that Reviere had previously been convicted on five different occasions. Attorneys for the felon said that the conviction and the sentence will be appealed.

P. 1

7-22-53

Police Reports

WOMEN HELD UP AND $204 TAKEN

Gunman Robs Insurance Office, Two Patrons

P. 12

A young Negro gunman held up three women in a life insurance company office about 12:52 p. m. Friday and escaped with approximately $204.

Francis Barrow, Negro, 34, 2800 S. Robertson, an employe of the Keystone Life Insurance Company, 3322 La Salle, said the robbery occurred while she was in the office chatting with two other women, Louise Robertson, 34, 1638 Annette, and Loretta Smith, 28, 1817 Third, both Negroes.

A young Negro man, about 20 years old came in and inquired about policies, she said.

Suddenly he drew a revolver, told the women it was a holdup and said, "Don't any of you move or I will shoot you."

He grabbed a metal box containing approximately $200 which was in brown bank envelopes, took a total of $4.25 from the women, they said.

After herding the women into the dressing room and warning that if they came out he would kill them he ran out of the office.

Ptn. Arnold Risey and Ptn. Charles Trapani said he was described as about five feet, six inches tall, 150 pounds, dark, having long black hair and a pencil thin mustache. He was wearing tan gabardine slacks, a short sleeved grey sport shirt, a brown fishing cap and had on light tan shoes.

New Orleans La.

Dat 8-22-53

13 La

Something Wrong Somewhere

JUDGING from the outcome of the recent case of the two cops who allegedly beat and robbed a truck driver, it seems good advice not to charge cops similarly unless you can arrange to have a host of witnesses to be present and you can obtain other evidence. Otherwise, you will be wasting your time. Just quietly accept your unfortunate fate and hope you don't run into such ungentlemanly "servants of the people" commonly known as the "law", soon. In recent weeks there have been a number of skirmishes between citizens and members of the police department. It is hard to believe that the citizens have been unable to present "sufficient" evidence or that the cops have been wholly blameless in the provocation of all these incidents. Obviously something is wrong somewhere. It is beginning to look like the police are getting more protection than are the citizens.

For instance, in the case of the truck driver, there was no refutation that he was beaten and robbed by two cops. The only doubt was which two cops. The cops in question had alibis in the form of tickets issued at the time of the beating in another part of the district. This, in the mind of the D.A., was a valid discrepancy in the victim's charge.

To any logical thinking citizen familiar with the south, the truck driver would not charge he was beaten by two cops if it were not true. He can't prove it because no one saw it except a minor witness and the cops in question can prove they were elsewhere writing tickets. Somebody is lying somewhere. The truck driver is lying on the cops or the cops are lying about the tickets. (S'funny how the law operates sometimes.) The question as to who is lying will probably never be known for nobody is interested now that the charges have been dismissed.

Such is life in a southern community where there is not full participation in the political life by all citizens.

Weekly

P. 6B

Dat. 11-14-53

13 La

FATHER DROLET BRUTAL BEATING

Victim Is Forced To Leave Parish After Brutal Attack

For no apparent reason other than to show a sugar cane worker who was "king of the n-----s," a sheriff of Thibodaux brutally beat a 26-year-old man last month, it was disclosed in an affidavit here last week.

The plantation tractor driver accompanied his sister-in-law to the parish jail to pay his brother's fine and seek his release. The attack occurred when the young man asked was his brother going to be transferred to another jail or released.

Weekly

The incident was referred to one of the fighting men of the Catholic clergy, Father J. A. Drolet.

P-1

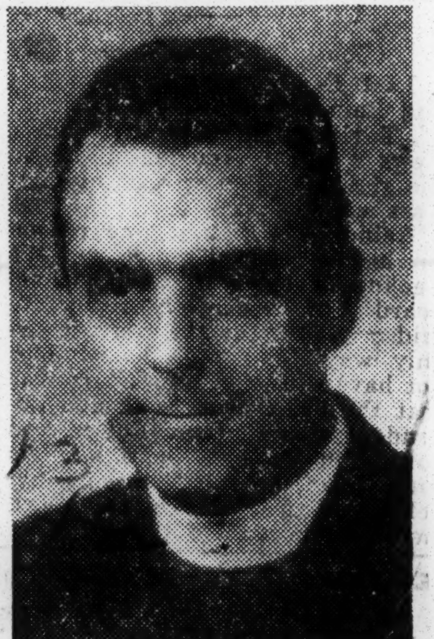
Father Drolet was so moved by the man's touching story that his sermon the following day was built around the injustice done a man by a sheriff who allegedly uses his position to go beyond the law of the land and decency.

(Exact words used by Father J. A. Drolet follows; delivered Sunday, Nov. 8, 1953 at St. Charles Church, Thibodaux, of which he is pastor. He is also executive secretary of the Lafourche Social Action Committee, social justice citizens' group. This is a true story. It happened in Thibodaux, La., Saturday, Nov. 7, 1953.)

New Orleans

"You are an American. You are thankful that God has placed you in the land of freedom and justice. You are a poor man, no land or house of your own. You are not a Catholic, but you hope to be one day. You've heard of the Catholic doctrine of social Justice, you take it to heart, you act on it.

"You go to the Lafourche Court House one day. You are guilty of no wrong, you go there to take care of some business, and start back home. One of the sheriffs suddenly stops you. He does not accuse you of any law-violation. He curses you, swears at you. He says, 'I'm going to show you who is king of the . . (n-----s) around here.' He smashes his fist into your eye. You fall, dazed and bleeding. You get up, you dare not say a word. He is the 'law', you are a little man. The sheriff takes out his gun. He points it at you. He says, 'you are too . . (g-- d----- smart). You look just like that ----- I killed last year.' The sheriff swings at you with the butt of his revolver. You try to duck, but it crashes into your head anyhow, tears it open, you bleed more. Blood stains your shirt, crimsons the floor. The sheriff says, 'Now get the h--- out of this parish. I better not see you in MY parish anymore.' 'I'm tired of fooling around with you damn . . (n-----s) and union.' He is still pointing his loaded gun at you. You are terrified. You pray silently, 'Lord save me; God, help me!' The sheriff finally says, 'Get in that . . . room, and wash off that . . . blood'. You go, and somehow, you stagger out, more dead than alive. Somehow, finally, you get back to the Peltier-Mire plantation cabin.



Sat 12-19-53

"You wonder. Surely, the good people of Thibodaux and Lafourche parish don't want innocent people to be brutalized like that. A just government is bound to suspend or fire a sheriff like that. Surely a just court will condemn and punish such communistic conduct by an officer of the law in free America. Surely, the United States Government, the Governor of Louisiana, the Civil Liberties of the U. S. Justice Department will see to it that such crimes are vigorously punished in the land of the free.

"Meanwhile, you put the whole, ugly thing in the hands of the Lord God Almighty, and His ordained spokesmen on earth. You finally get a doctor to repair your smashed eye, your torn head. You are an American; here in the U. S. we have a government of law, not of men. Here in Louisiana (motto: Union, Justice, Freedom) in Lafourche parish, we have a government that protects the weak from the strong. You are thankful that God has placed you in the land of the free, where the poor enjoy equal justice under the law. It's so different here from in the communist countries behind the Iron Curtain, where human dignity is outraged, and human freedoms are crushed by godless dictators; where Forced Migration is the order of the day for anyone who stands up for freedom and liberty and social justice.

Weekly

"But—the ominous words of the sheriff keep ringing in your ears: 'I'll kill you . . . I better never see you in My parish again. . . . I'll show you who is king . . .' So you and the family tearfully say goodbye to the parish you were born and reared in. . . . Forcibly you migrate to a strange parish, to look for a dry roof to shelted the family . . . you think of Jesus' words, 'Blessed are they who hunger and thirst for justice, for they shall be filled. . .' And . . . you wonder . . . will His words at the Last Judgment maybe sound like this . . . 'Get Out . . . Get Away From Me . . . Forever. . . . When You Did Those Cruel Things To My Little Ones, Sheriff, You Did It To Me . . It Was MY Eye You Smashed With Your Fist. . . It Was MY Head You Broke Open With Your Cruel Pistol Butt. . . I Am The King, Sheriff . . . FOREVER. . ."

Sat 12-19-53

Fearful for the young man's safety, interested persons spirited the victim to an undisclosed location in Louisiana. Many citizens have been mum concerning the sheriff's wanton attack on the cane worker, because they dread the thought of the venomous wrath of the 'self-made' king.

13 1953

Louisiana

Town's Only Doctor Beaten, May Leave

NEW IBERIA, La. — New Iberia's only physician, Dr. M. E. Chatters, a woman, has charged that city police gave her a brutal beating an as a result she may be forced to leave town.

Despite no comment from Dr. Chatters on her future plans, it was learned that she may quit New Iberia because of fear for her life.

She said she was slugged on the head, back and stomach while applying for a duplicate driver's license at the driver's bureau.

The New Orleans native reported she lost her original license and received many discourtesies when she sought another. She said a white couple in the office was asked to leave and she was then beaten.

She said she was returned to her home with threats that she would be "handled properly" if she reported the incident.

Louisiana veterans recall several professional persons who quit New Iberia following police and citizens' brutality.

J. Leo Hardie, NAACP leader **and insurance man, died shortly** after such an attack. Dr. Edward Dorsey left for Fort Worth;

Dr. H. C. Scoggins now practices in New Orleans and Dr. Ira Pierson in Baton Rouge.

Defender
P.5
Chicago
Sat 4-25-53

Reported Beaten

Doctor's Life in Danger

NEW IBERIA, La.—In the face of a reported beating and humiliation by a local white deputy, Dr. Myra Elise Chatters will continue to practice here in reversal of an earlier decision to close up her office and leave this city.

"I am returning to New Iberia because there is no other Negro physician to care for the needs of thousands of Negroes in that community," Dr. Chatters told the Courier. "My relatives and many friends have urged me not to return, but I feel a deep responsibility to my many patients and to the New Iberia community as a whole."

In private life, Dr. Chatters is the wife of Dr. Alfred Louis Joseph, a Meharry College graduate, now interning in the St. Joseph Mercy Hospital, Ann Arbor, Mich.

Dr. Chatters, a 1950 Howard University Medical School graduate, had told the Courier how she had been beaten, knocked to the floor and kicked by a white deputy on April 8 following a controversy over a traffic violation by Dr. Chatters.

Iberia Parish has a population of some forty thousand, of which approximately one-third is Negro. Dr. Chatters is the lone Negro physician in the county.

IT IS recalled that on May 14, 1944, six leading Negro citizens including four physicians, were brutally beaten and chased out of New Iberia for attempting to organize a branch of the NAACP. They were Leo Hardy, an insurance man who died shortly afterward; Herman Faulk, agricultural agent now in California; Dr. H. C. Scroggins, now in Algiers, La.; Dr. Ira Pearson, now in Baton Rouge; Dr. Louis Williams, now in San Francisco, Calif., and Dr. Edward Dorsey, also in California.

A Federal grand jury probe was made into the 1944 incident, but there was no further action.

According to an affidavit before Atty. A. P. Tureaud, notary public and state NAACP official, the beating of Dr. Chatters grew out of a discussion over a traffic charge.

Dr. Chatters had been stopped by a police officer and given a ticket when she failed to produce a drivers' license. She had explained that she had lost her purse, and all its contents, her driver's license among them.

She was then told, after being given a ticket, to report to the Driver's License Bureau with the ticket and registered receipt for the duplicate, which she had applied for prior to being stopped.

* * *

IT WAS in the Driver's License Bureau that Dr. Chatters said she became involved in a controversy with a deputy who she said told her to shut up and not give him any back talk.

Dr. Chatters said she told the deputy, "You are an adult and I am an adult and there can be no such thing as back talk."

The doctor said at this point, the deputy cleared the office of persons who were present and then assaulted her.

She was later treated by a white doctor who signed an affidavit that he had given her medical treatment for bruises and shock and ordered her to bed.

Courier
Pitts P.C.
Pa
Sat 4-25-53

Courier
Sat 4-25-53

Woman Doctor Says Officer Beat Her

Medic Plans $10,000 Suit Against Louisiana Deputy

NEW IBERIA, La. — A woman doctor charged here last week that she was beaten, kicked and abused by an irate white deputy in the parish drivers license bureau.

Dr. M. E. Chatters said in New Orleans that she will file legal action against the offending officer as police retorted that Dr. Chatters was booked and charged with using loud and offensive language in the parish office.

They denied that the doctor was beaten and abused.

STATE TROOPER

State Trooper Ivy Broussard charged her in city court with not having in her immediate possession a drivers license as required by law. She was subsequently charged by Deputy Ossie Savoie following the incident at the license bureau, of disturbing the peace by loud and offensive language in the license bureau in the court house.

In a statement issued in the presence of her attorney, Dr. Chatters alleged the following version of the incident:

"On April 8, 1953, at approximately 9:45 a. m., I was stopped on Main Street (Hwy. 90) by Sgt. Ivy Broussard who asked me to present my driver's license.

"I explained to the officer that I had lost my purse and all of its contents, my driver's license being among them. but had taken the proper procedure in securing a duplicate.

I was given a ticket by the officer and instructed to go to the drivers license bureau with the ticket and registered receipt for the duplicate to get it straightened out.

"I went to the bureau approximately 45 minutes later, and after entering the office explained my mission to the deputy there. and he immediately began reprimanding me in very harsh terms, saying —"Didn't I tell you to always keep this on you?"

"SMART ONES"

"I tried to explain: "Sir, I am a doctor and had just gone out of my office to send a telegram—" and before I could finish my statement he said, "Don't you come passing your title off on me. You are one of those smart ones. You've had trouble up here before with Broussard."

"I said, 'Sir, I have not come for an argument and if you don't wish to straighten this out for me, kindly return my papers and I will leave.'

"He said boisterously and insultingly, 'None of your back talk, and you shut up.'

"I answered, 'You're an adult and I am an adult, and there can be no such thing as back talk.' I again asked for my papers and he hollered, 'Now you shut up or else!'

"At his point he hurriedly ordered the white couple in the office to leave and requested that they wait outside, and he walked out.

"About two minutes later he returned and reseated himself behind the desk and said, 'Now listen you, shut up and stop all this back talk,' and before I realized it I was struck on the left side of my head. Attempting to get up out of my chair the officer standing in the direction of the blow grabbed me around my neck, knocking me to the floor. After I got up I was kicked in the abdomen.

"I asked for my papers and in a state of hysterical stupor left the office and inquired for the sheriff. I was told he was not in after which I went to the D. A.'s office but could not see him.

"At this time this same deputy came after me and said, ' I should have broken your damned neck.'

"On returning to my office I called for medical treatment and was advised to go to bed.

"Later on in the afternoon Sgt. Broussard called me on the telephone saying, ' I heard you raised a lot of hell up there. And listen, you aren't 'gonna raise any hell with me. If you don't get it straightened out I am gonna pick you up."

World
P.1
Birmingham
Ala
Tues 4-21-53

World
Birmingham
Ala
Tues 4-21-53

Asks $10,000 for Beating

Woman Doctor Files Suit Against Sheriff

131

By JOHN E. ROUSSEAU

Courier

Pittsburgh

Sat 5-23-53

NEW ORLEANS—Dr. Myra Elise Chatters, New Iberia, La., filed suit May 13 in U. S. District Court here asking damages of $10,000 from Nic DeRouen, sheriff of Iberia Parish and his deputy, Dudley Leleux. Dr. Chatters accuses Leleux of beating her in the parish courthouse on April 8, 1953.

In the petition filed by Attorneys Louis Berry and Vanue Lacour, Dr. Chatters charges that she went to the Driver's License Bureau in the Iberia Parish courthouse, New Iberia, on April 8, in connection with a traffic ticket she had been given by a state policeman for not having her driver's license in her possession.

Ossie Savoie was the deputy in charge of the bureau, the petition stated, and when Dr. Chatters attempted to explain her problem to him, he began to reprimand her with insulting and abusive language, and when she insisted on discussing the matter with him in his capacity as a public official, he told her to "shut up," the petition continues.

Courier

Sat 5-23-53

Savoie, according to the petition, left the office and when he returned, Deputy Sheriff Leleux entered, struck Dr. Chatters on the side of the head with his fist, choked her until she fell to the floor, then kicked her in the abdomen as she attempted to regain her feet.

La. Medical Society Votes $500 To Woman Doctor New Iberia Assault Case

Weekly

Sat 5-23-53

New Orleans La.

P.1

Baton Rouge.—Charging that a New Iberia woman physician was choked, kicked and maliciously truck down and otherwise assaulted by parish officials last April 8, the Louisiana Medical Association, meeting here last week, voted $500 and more if necessary to fight the case in court and adopted a resolution condemning the violent practices of the sheriff's office in the south-central Louisiana town.

Meanwhile Dr. Chatters filed a $10,000 suit against Nic Derouen, sheriff of Iberia parish, and Dudley Leleux, deputy, on the grounds that the plaintiff was deprived of the privileges and immunities as guaranteed by the 14th amendment to the Constitution of the United States.

Dr. Chatters charged that she was falsely jailed and detained in the parish jail without a warrant and denied the right to be notified, advised and apprised of the violation of the law before the assault.

She declared that Ossie Savoie was the deputy in charge, who came into the office, struck her on the side of the head with his fist and choked her to the point where she fell to the floor, then kicked her in the abdomen as she

State Societies of Louisiana and by the authorities of the great universities of the State, the State University of Louisiana and Tulane University, and, are duly mindful of the pride shared by their colleagues in keeping our sovereign State abreast of the times and the advance of the Nation as a whole, therefore be it

Weekly

"RESOLVED: That the Louisiana Medical Association, in Seventh Annual Convention assembled, does hereby and forthwith petition in a spirit of sincerest amity and respect, the proper authorities of the several Parish medical societies and the State medical society of Louisiana, and the proper authorities of the Louisiana State and Tulane Universities to take such action as may be required for the admission of physicians and students, respectively, to their organization and institutions on a basis of qualification and without regard for race, creed, color or national origin, in the interest of the welfare of the people of Louisiana."

Sat 5-23-53

A committee was appointed by the association represent the body before various group named at the appropriate time.

Finance Co. Toughs Sentenced For Beating La. Negro Debtor

World

Atlanta, Ga.

P. 3

Wed. 6-24-53

SHREVEPORT, La. — (ANP) — The practice of loan company collectors using violence on Negro borrowers who become delinquent in their payments received a setback in City Court last week when Judge Ruvian D. Hendrick sentenced three white men for battery on a Negro man. Judge Hendricks described the offense as "one of the most vicious cases ever to come before me."

The three men sentenced in connection with the May 30 beating of Roosevelt Williams, were S. D. Jesey, 27, W. E. Allen, 27, Bossier City, La., and W. E. Miller, 27, all collectors for local finance companies.

Each was ordered to pay $250 or serve six months in jail on default of payment, and to serve 90 days in jail.

According to testimony, Miller and Allen, employees of the Family Finance company, went to a baseball game on the night of May 30 and were joined by Jesey, an employe of the Asco Loan co.

The trio left the game between 11 and 12 p. m. and drove to Williams' home to see about an account of some $700. Williams allegedly owed Family Finance.

Williams testified that the men came on the porch of his house and one represented himself as a policeman saying he had an arrest warrant.

When Williams asked what he had done, one of the men yelled to another in the station wagon, "Get my pistol." Williams said he left with the man after telling his wife to telephone a friend and have him bailed out of jail.

He said one of the men struck him at that time, then they drove him to the Family Finance Co., drew blinds and Jesey and Allen beat him unmercifully while Miller stood watch outside. He said they turned him loose between midnight and 1 a. m. and he went home.

The next morning Williams went to the Veterans Administration hospital where he was kept for observation and Xrays because of his swollen jaw and bruises. When he returned home, his wife called his employer, Bruce Darby, who reported the incident to police. Detectives Paul Mullin and X. M. M. Wallace arrested Allen, Jesey and Miller on June 1.

In court, Allen and Miller admitted going to Williams' home and taking him to the finance company office but denied beating him. Following the sentence, all three put up appeal bonds of $500 each.

Judge Hendrick, in passing sentence said he had received a number of reports of local finance companies using similar tactics on Negroes.

NEGRO HOMICIDE STUDY LAUNCHED

135

Committee Organized to Seek Reductions

Times

Picayune

P. 12

New Orleans La.

Wed. 9-30-53

A committee of Negro leaders was organized Tuesday to study ways and means of reducing the homicide rate among Negroes in Orleans parish.

Four men in newspaper and public relations fields were elected to head the group, which will be known as the Orleans anticrime committee.

They are Elgin Hychew of the Louisiana Weekly, chairman; John E. Rousseau of the Pittsburgh Courier, vice-chairman; Marcus Neustadter, public relations counselor and sales representative, secretary, and James B. Lafourche, Associated Negro Press correspondent and publicist, statistician.

They were chosen at a meeting of 22 Negro citizens called at the Criminal District Courts building by District Attorney Severn T. Darden.

Darden told the meeting that of 62 homicides committed in Orleans parish last year, 50 involved Negroes, "as compared with the fact that whites outnumber Negroes in New Orleans two to one."

About 1000 Negroes have been murdered in New Orleans since 1932, Darden said. Very few Negroes tried for murder of other Negroes have been given death penalties, Darden said.

He asked the group to suggest educational or legislative policies that might tend to lower what he termed a "distressingly high Negro homicide rate."

Nab 2 Addicts Out Gunning For 'Turkey' Dealer

Weekly

P. 1

Sat. 8-15-53

Cracking down on the New Orleans dope racket and crime wave, officers last week arrested two pistol packing dope suspects in what had the makings of a dope war.

Arrested were:

JOHN PARQUET, 24, 2408 Louisiana.

THOMAS HENRY, 25, no address given.

Officers arrested the two after receiving an anonymous phone call stating that they were going to shoot up a dope peddler known only as "Leonard" at Dumaine and Marais.

New Orleans La 13

Parquet and Henry told officers of the narcotics department that they were going to have a discussion with Leonard who had sold them "faked" narcotics for their friends.

Both men were carrying revolvers. Parquet a .22 caliber and Henry a .38 caliber with extra rounds of ammunition.

Officers have reason to believe that the .38 caliber is the same gun that was used in the shooting of Alvin Martin, 609 N. Derbigny, who police stated was also a drug addict. When questioned relative to the shooting, Martin reportedly told officers, "I'll take care of them myself or have my boys to take care of them." Martin is in critical condition in Charity hospital with a bullet lodged in his spine.

Officer Battaglia, one of the arresting officers, said when he questioned Parquet he told the following story:

"I had gotten money from my addict friends yesterday (Wednesday) and bought $15 dollars worth of 'stuff' from Leonard at Dumaine and Marais. When I got back my friends found out that I had bought a 'turkey' and got angry. They told me that I was going to high-jack Leonard."

Officers say that on Thursday Parquet picked up Henry and both armed themselves with revolvers and extra ammunition and headed for Dumaine and Marais to shoot it out with Leonard alias "Half-Man."

It was while waiting for Leonard (the connection) that officers arrested the pair.

Weekly

Officers said they both showed traces of hypodermic needle marks and showed traces of being addicts.

Sat. 8-15-53

Parquet and Henry admitted using narcotics but refused the addict test, officers stated.

Assisting Battaglia in the arrest was Officer Seaward of the narcotics squad.

Feds, City Cops Cooperate To Crack 'Traffic'

Weekly

P. 1

A new drive against dope peddlers in New Orleans started last Thursday night when racket-busting police narcotic squadsmen "jammed" 3 gang suspects of drug addicts and sellers of the underworld at the corner of London and Galvez streets.

They were:

EDWARD BRAZILE, JR., 34, 919 N. Prieur.

THEOPHILE MARTIN, 22, 1815 N. Prieur.

EARL COUSIN, 23, 1927 Aubry.

The arrests were made through the cooperation of city police, narcotic officers and undercover federal men.

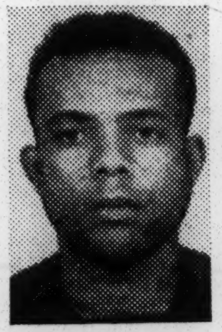
BULLETIN

U. S. Commissioner Reginald H. Carter Jr. disclosed this week that Earl B. Cousin, Theophile Martin and Edward Brazile, who were arrested last Thursday by city and federal agents at London and Galvez street, were arraigned before him. Cousin was ordered held on a $3,000 bond but was later released after he made bond. He is awaiting trial. Other charges of narcotic violations against Martin and Brazile were dropped for insufficient evidence, the commissioner disclosed and they too were released.

Sat. 10-3-53

New Orleans

13 (Narcotics)



E. COUSIN

T. MARTIN

City officers were Sgt. Joseph Giarusso, Ptn. Jay Segdebeer, Fred Soule and Clarence Giarusso.

They reported that they appeared at London and Galvez about 8 p. m. to make the first purchase in front of a tavern on the sidewalk.

An undercover agent approached Cousins while the other men sat about a half block away in an automobile under the camouflage of darkness.

E. BRAZILE

13 La

The federal agent walked up to the trio and asked Cousins about a sale. While Martin and Brazile waited, Cousins and the agent went to a bottle stashed away in a weeded rendezvous on London. The agent gave Cousins two marked $5 bills for two capsules of heroin.

He and Cousins returned to their original meeting place on the sidewalk where Martin and Brazile were waiting. The agent disappeared.

Weekly

Two hours later, the agent in plain clothes reappeared for two more capsules.

Sat. 10-3-53

He again approached Cousins who went back to the hidden cache and unearthed two more caps. A quick sale was made again with two marked $5 bills.

By this time, the agents who were stationed about a half block away watched the transaction, closed in and arrested the three suspects. More than 35 capsules were found in the bottle. The marked money was also seized as evidence.

New Orleans

From time to time neighbors had complained to police about suspects loitering in front of the tavern and in the area and had observed addicts and peddlers loitering in the area and molesting teen-agers in an attempt to sell "junk" to teen-agers.

London and Galvez has in the past been the scenes of numerous notorious raids and gangland murders over narcotic transactions.

Police broke the case of Adam Lawrence two years ago who operated from a nearby tavern after he had taken over from a white operator who was convicted on corroborating with a Negro government-check stealing and cashing ring which flourished in downtown New Orleans two years ago.

Lawrence was convicted on narcotic charges after he was arrested at the tavern. He was subsequently charged with operating the bar without a license.

Martin, who police said was slashed about the face several weeks ago, but declined to explain the deep gash, is a recent veteran of Korea with action on the battlefield.

He figured in an early morning police raid last summer on a South Rampart tavern and when examined, police suspected him as a user of drugs.

The arresting officer at that time said he observed numerous "tracks" on Martin's arms, but believed him to be a "clean cut youngster" who had only become associated with "bad influences" who were dealing in dope.

Martin told a Louisiana Weekly reporter that he had just returned home from Korea shortly before his arrest and had saved about $800 in war bonds, but had cashed a large sum of his savings to buy narcotics in an attempt to satisfy his habit.

When brought before the municipal judge, the judge after conferring with the police officer who arrested and befriended Martin, attempted to persuade him to submit himself for a "cure" at a U. S. Public Service hospital, after having given him a lecture.

Martin stubbornly turned down the judge's plea.

After deliberating for a few seconds, the judge sternly looked up and looked Martin squarely in the face. He rebukingly warned:

"If I see you in my court again on any kind of charge, I am going to throw the book at you. I've given you a fair opportunity to make up your mind to get yourself straightened out and this is to serve notice on you, that if you come before me again, it's going to be too bad."

He dismissed the case and Martin walked out of the court a free man.

Put In Solitary On Bread, Water At Penitentiary

Afro-American

Engineered Fantastic Escape In 1951; Dug 70 Feet Under Prison Walls To Short-Lived Freedom

p. 1

Baltimore, Md.

BALTIMORE

Joseph Holmes 41-year-old Maryland prison inmate whose ingenious engineering of a 70-foot tunnel from his cell to temporary freedom in 1951 earned him the nickname of "Tunnel Joe," was in solitary confinement on bread and water Saturday after a new escape plot collapsed.

Holmes was identified by Warden Vernon L. Pepersack as the ringleader in an escape plan which may have involved as many as 43 prisoners in the penitentiary's tough south wing segregation cell block.

Plot Falls Through

The plot fell through Wednesday with the discovery of a cache of improved knives, hacksaw blades and homemade keys in Holmes cell during a routine inspection.

Sat. 7-11-53

Warden Pepersack said that notes were also found indicating that a prison break was being planned and that other convicts were being invited to join in.

Two Others Named

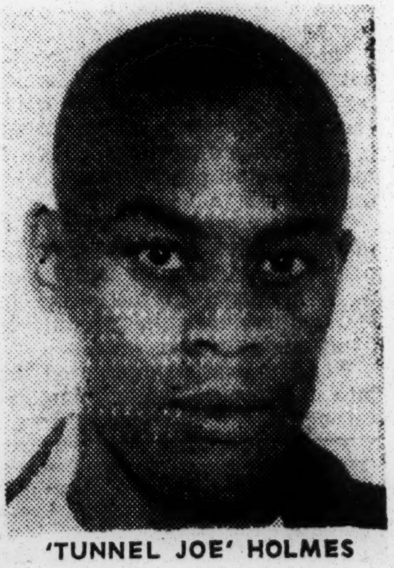
Only two other men were identified as major participants in the escape plot—both of whom are also getting the bread and water treatment. They are:

Benjamin Gillium, about 30, doing 40 years for two counts of robbery with a deadly weapon and also wanted in Texas for jail breaking, and Gerald Day, about 26, serving a life sentence for the robbery and murder of a Baltimore trolley car conductor.

Both men have served about five years, it was reported.

Holmes is serving 40 years for armed robbery, burglary and jail breaking, Warden Pepersack said.

The trio's punishment for the escape plot is bread and water for two days, with full rations each third day, for 10 days.



'TUNNEL JOE' HOLMES

Afro-American

Warden Pepersack said that other disciplinary action may be taken against the men, such as recommending the taking away of good conduct time — which accrues at the rate of five days each month — and of time earned for working while in the penitentiary, gained at the same rate.

Warden Pepersack said that the segregation cell block, which houses unruly and long-time prisoners, is inspected about every 15 days.

It was during such an inspection on July 1 that a guard noticed an envelope in Tunnel Joe's hand as the inmate was ordered out of his cell so that it could be checked.

Holmes Slightly Hurt

When the guard attempted to take the envelope, Holmes kicked him, broke away and flushed the envelope down the drain in his cell. During the melee Holmes was forcibly subdued and later received treatment for minor head injuries, the warden said.

Baltimore, Md.

The envelope was believed to have contained a hacksaw blade or similar object.

7-11-53

The following items were found hidden in Holmes's small cell:

An improvised 10-inch stabbing knife one and a half inches wide, apparently made from a steel bed slat; a similar knife in the process of being made;

Two six-inch hacksaw blades, one four-inch piece of a band saw and four pieces of aluminum —one fashioned into a tier gate key two others being designed as keys and a fourth flat piece. The key didn't fit.

Metal Slipped From Shops

Tunnel Joe had apparently made friends with other inmates working in prison shops and had induced them to slip the metal objects to him, Warden Pepersack said.

He theorized that the items were attached to a piece of thread and swung down over a tier to Holmes' cell below.

The warden said that any escape plan the men might have had would have been fruitless.

13 1953

Massachusetts

Judge Frees Man In Jail Since Youth

Journal and Guide

By International News Service

P. 15

CAMBRIDGE, Mass.—Wilfred E. Besner of Russell, who has been in state institutions or in prison for 31 of his 36 years although he has no criminal record, was free last week for the first time since he was five years old.

Besner was freed by Middlesex superior court judge Felix Forte who acted on a petition filed by himself. He told the court:

"I was not aware of ever having committed a crime or being inside a courtroom. I have been serving a life sentence as a confirmed criminal, although innocent of any type of crime. I have spent 31 years of my life living with habitual criminals."

Norfolk Va

BESNER'S petition said his mother, now dead, had him confined to the Belchertown school for feeble minded at the age of 16 without a hearing and nine years later he was sent to Concord Reformatory, again without appearing in a courtroom. He spent eleven years in Concord.

Date 5-23-53

PAIR IS HELD TO JURY IN PREACHER BEATING

Commercial Appeal

Memphians Accused Of Trying To Kill Baptist Minister At Pilgrim's Rest

P. 1

(Pictures on Section Page)

By GEORGE HARMON
Staff Writer

Memphis Tenn.

1-30-53

BATESVILLE, Miss., Jan. 29.—Two Memphians accused of the Christmas Eve beating of a Baptist minister were released under $1,000 bond Thursday afternoon to await action of the April grand jury.

Three justices of the peace refused to drop charges of assault with intent to kill against Heron Don Mills, 32, of 2321 Pratt, and H. Coleman Cooper, 26, of 1822 Marjorie. The decision followed a three-hour hearing in the Panola County Courthouse here.

Identified As Attackers

Cooper and Mills are charged with a brutal attack on the Rev. Sammie P. Crawford, 42, minister of the Pilgrim's Rest Baptist Church 10 miles southeast of here.

The minister and his wife identified Cooper and Mills as the assailants who entered their home, beat the Rev. Mr. Crawford while his wife and children watched helplessly, and threatened to kill him if he did not leave the community within 30 days.

But the defendants and several members of their family denied the charges. All said Cooper and Mills had gone to bed at a relative's house nearly an hour before the attack occurred.

The minister and his wife said Cooper forced his way into their living room and kicked the Rev. Mr. Crawford across his right knee, re-breaking the leg which had been injured in an auto crash six weeks before.

Says He Blacked Out

"I fell and blacked out," the minister said. "I was out for a few seconds. When I came to, Cooper was stomping on my knees and Wills was beating me on the face and cursing.

Dist. Atty. Gerald Chatham of Hernando directed the prosecution's arguments. He was assisted by Jack Horan of Water Valley, who was hired by the Crawfords.

The 240-pound minister insisted under cross-examination by defense attorneys James McClure and Herbert Fant, both of Sardis, that he could think of no reason for the attack.

He did admit "some feeling" existed amon gcertain members of the congregation over what Mr.McClure described as the minister's "attention to a certain lady." But he denied these rumors were true. The minister also testified an attempt to oust him last fall failed by a vote of 67.5 The five votes against him included opposition by a deacon and his wife, Mr. and Mrs.Elmer Mills. Elmer Mills is a brother of Heron Mills and an uncle of the Coopers. The three justices of the peace who heard the case were Rcy Girner of Sardis, William 'Tet' Westmoreland of Batesville and Vincent Dettor of near Batesville. Pilgrim's Rest is in sparsely settled southeast Panola County. The lack of large communities has made the Pilgrim's Rest Baptist Church the center of political as well as religious discussion many years. The Rev.Mr.Crawford, released from Baptist Hospital in Memphis two weeks ago, has been holding services at the church.

Commercial Appeal
Fri. 1-30-53
Memphis, Tenn.

Winston County Negro Farmer And Land Owner Is Mysterious Slaying Victim

Advocate P. 1

Jackson Miss.

Law Enforcement Officers See Little Hope Of Solving Case

Sat. 1-24-53

Louisville, Miss., Jan. 19.—DSN)—Curtis Daniel, a well-to-do Negro farmer and landowner, was the victim of a mysterious killing which took place near the Hopewell community in Winston County last Friday afternoon.

According to reports the death of Daniels was revealed when his team drawn wagon returned to his home without him, which led members of the family and friends to begin searching for him in the nearby woods on his property, to which he had gone driving the team for the purpose of cutting some fence posts.

Advocate

Sat. 1-24-53

His body was found with a 22-rifle bullet wound in the back of the head. The body was found lying in the middle of the road where he evidently fell when hit by the shot.

According to reports searchers who reached the scene where the body was found, in attempting to reconstruct what happened have said that because of the height of the wagon seat, and the natural surroundings it is all but impossible for the shooting to have been anything but a deliberate aim to take the man's life.

According to reports, Winston County Sheriff Peterson said a few hours after the slaying that he could find no apparent motive for the slaying, but said that the investigation would be continued although he is reported as having little hope that the law enforcement officers will be able to solve the case.

Members of the dead man's family, as well as neighbors are reported as saying that they did not know of anyone who had a grudge against him, and he is regarded as having been well liked and respected in the community.

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The survivors include his wife and two children.

WOMAN BEING SOUGHT IN MERIDIAN ATTACK

Officer's Wife Is Slashed And Robbed In Home

Special to The Commercial Appeal

MERIDIAN, Miss., April 18. — Meridian police sought the identify of a Negro woman who attacked Mrs. R. H. Goodman in her home, about 5:15 a.m. Saturday, forcing her to hand over $30 in cash and threatening her children with death if she called for help within 30 minutes.

Commercial Appeal

Mrs. Goodman is the wife of city patrolman R. H. Goodman, who was on duty at the time of the incident.

The woman forced her way through the back door of the home after lifting a door latch through a window pane.

P. 6

Detectives Joe Wyche and A. W. Creel said the intruder wore a long black coat, gloves, and a red bandana around her head.

Memphis, Tenn.

Mrs. Goodman declared the woman said she knew that her husband was an officer, and that he was on duty.

"If you leave in 30 minutes to call for help, I'll come back and kill the children," the woman was quoted as telling the officer's wife.

Sun. 4-19-53

Mrs. Goodman, who was cut twice on the right arm and bruised about the body, was in shock for some time after the accident. The Goodmans have three children.

Three Negroes Held In Attack, Beating

News P. 1

MERIDIAN, Miss. (UP) — Police said here today that they had their first lead in the robbery and brutal beating of a curb market dealer here two months ago following the arrest yesterday of three Negroes in Mobile, Ala.

Jackson Miss.

Mobile police charged the three men with robbing and attacking a curb market dealer in that city and Chief of Detectives T. D. Harbour said here the three Negroes were wanted in Meridian for the Feb. 16 robbery and beating of James Wright, a 70-year-old curb market operator.

Wed. 4-15-53

Harbour said the Negroes attacked Wright in Meridian with a hammer and robbed him of approximately $100. He identified the three as Robert C. Ruffin, Ervie Webb and Willie Pressley Robertson. Harbour said the Negroes' return to Meridian may be delayed because of the charges in Mobile.

BROTHERS' TESTIMONY IS KEPT FROM JURY

Commercial Appeal

Held Irrelevant By Judge In Pastor's Beating

P. 33

TWO MEMPHIANS ACCUSED

Memphis, Tenn.

By GEORGE HARMON
Staff Writer

BATESVILLE, Miss., April 16.—Circuit Judge C. M. Swango Jr., Thursday refused to let a jury hear testimony regarding a Baptist minister's relationships with a woman member of his congregation.

Fri. 4-17-53

He ruled that testimony of the woman's brother was not relevant to the trial of two Memphians accused of beating the Rev. Sammie P. Crawford last Christmas Eve near Pilgrim's Rest Baptist Church where he was pastor.

Defendfants in the case are Herron Don Mills, 32, of 2321 Pratt and his nephew, 27-year-old H. Coleman Cooper of 1822 Marjorie. They are charged with assault with intent to kill. The case was expected to go to the jury early Thursday.

Six Defense Witnesses

Judge Swango made his ruling after defense witness Houston Locke testified, with the jury out of the courtroom, that he had ordered the Rev. Mr. Crawford "to stay away from my sister's house because he was causing talk about her character."

Six defense witnesses, including the defendants and four of their relatives, all testified that Mills and Cooper had been asleep at the home of Noel Mills in the Pilgrim's Rest community when the Rev. Mr. Crawford was attacked at 11:30 p.m. on Dec. 24.

These witnesses were Mr. and Mrs. Noel Mills, Mrs. Heron Don Mills, wife of one of the defendants, and Douglas Mills.

Their testimony was in direct contradiction to that of the Rev. Mr. Crawford and his wife, who were the only state witnesses called by Dist. Atty. Gerald Chatham of Hernando and John Horan of Water Valley, a private attorney assisting the prosecution.

Pair Identified

The minister and his wife both identified Mills and Cooper as the pair who forced their way into the living room of the Pilgrim's Rest pastor's home and beat the minister about the head and body.

They quoted the defendants as saying they came to "kill the pastor" and finally left after threatening to return and slay him if he failed to leave the community within 30 days. The pastor said he received a broken leg in the attack.

Under cross examination by defense attorney James McClure Sr., of Sardis, the Rev. Mr. Crawford admitted that there had been "gossip" concerning his attentions to women members of both the Pilgrim's Rest Church and Damascus Baptist Church at Hazlehurst, where he served before coming to Panola County about 18 months ago. The pastor added however, that the rumors were "untrue."

Judge Swango refused to let the jury hear testimony regarding Mills discharge from the Army during World War II. After the jury retired, Mills told the court he received a "blue discharge" after being court martialed.

Objection Upheld

He said the discharge was neither honorable or dishonorable. Judge Swango upheld Mills objection to relating the reason for the court martial.

Mr. McClure and defense attorney Herbert Fant of Sardis asked for a mistrial in the case against Cooper after Cooper admitted that he had been convicted 10 years ago for "strong arm robbery." Judge Swango refused to declare a mistrial but halted that phase of testimony.

The Rev. Mr. Crawford said he left the Pilgrim's Rest community three years ago and is now pastor of Calvary Baptist Church in Bruce, Miss.

MENTALLY SICK VETERAN BEING TRIED AS ORDINARY CRIMINAL HAS AN ATTACK OF MENTAL DISORDER IN COURT ROOM HERE

Prosecutor And Jury Ignore Findings Of Veteran's Hospital Authorities In Trial Of Local Negro Vet In Bus Case

VETERAN FACES EIGHT NEW CHARGES AFTER COURT ROOM SCENE

Advocate

P. 1

Jackson Miss

Date 5-23-53

Jackson, Miss., May 16 — (SN) — Negro citizens of this capitol city of the State of Mississippi are deeply stirred over the trial here last week of Leo "Bill" Bailey, mentally sick Negro Veteran of World War II who was tried for the third time last week as an ordinary criminal on charges growing out of an incident which took place several months ago on a local bus.

Bailey who had a long period of service in the South Pacific has ben rated as having a sixty-percent service connected disability as a result of his mental condition by Veterans Administration authorities and is being paid a monthly disability compensation by the United States Government.

Suffering from a mental disorder obviously the result of the army orientation program of training for democracy the Veteran is subject to sudden reactions and outburst against segregation and discrimi nation and other non-Democratic practices, the incident for which he was tried the third time last week taking place on a Veterans Hospital Bus when he objected to being ordered to take a back seat when several white passengers got on the Bus.

According to reports of the incident he hit the Bus Driver before jumping off the Bus.

In the two previous trials the case had been dismissed however following the second trial a new indictment was made on the same incident.

At the conclusion of the two day third trial last Thursday afternoon held before Judge Luther Manship with Atty. Hugh Gillespie as the Prosecutor, when a jury returned a verdict of guilty and the Judge announced a sentence of a fine of $250 and ninety days on the County Farm, the Veteran underwent a spell of his mental disorder and attempted to attack the Prosecutor, Judge and others in the court room before he was subdued and lodged in the County Jail.

Advocate

During the trial Doctors from the Veterans Hospital in Jackson where his case was adjudicated, one of who is regarded as one of the nation's leading authorities of mental diseases, testified that the Veteran was mentally sick and that under his condition he did not know what he was doing at the time of the Bus incident.

It was upon the statement of the doctor from the Insane Asylum that the guilty verdict was returned.

What has stirred the Negro citizens in regard to the case is the widespread knowledge in the Negro community that the Veteran is mentally sick.

Such knowledge is based on the fact that since his discharge from the army the Veteran while a teacher in a local school picked up a small boy who had disobeyed him and threw him out of a window.

In another incident he knocked a local barber out over a disputed play in a Checker game and turned to keep watching the games as though nothing had happened.

Date 5-23-53

A member of one of the better families of the city another factor which has stirred the Negro citizens is the fear that, if sent to the County Farm as a ordinary criminal he might suffer one of his frequent mental attacks and be killed by a prison Guard.

According to reports following the court room scene last Thursday afternoon Prosecutor Gillespie threatened to lodge eight new charges against the Veteran but the charges have not been made official.

Meantime the Veteran was still being held in the County Jail where for several days his relatives were denied the privilege of seeing him.

Jackson Miss

According to reports no appeal has been taken in the case and no bond has been requested while the Veteran remains in Jail because of the fear that if released he might have one of his spells causing him further trouble.

Observers saw little or no consideration at all given the Veteran because of his condition and saw him being tried by tradition rather than by the law.

The Veteran was defended in the trial by Atty. Cunningham.

Goon squad blamed—

Labor organizer kidnaped, pistol-whipped in Mississippi

JACKSON, Miss., Sept. 1—(AP)—An attorney for the CIO charged today that a "professional goon squad" kidnaped a labor organizer at Ashland, Miss., last night and pistol whipped him before warning him to get out of the state.

News

Dixon Pyles, attorney for the labor union, said the man, James Jackson, 27, a resident of Seminary, Miss., was in Ashland trying to organize a plant for the Amalgamated Clothing Workers of America (CIO) when four car loads of men appeared at the home of a worker last night and forcibly hauled Jackson away.

P. 10

"He was taken to a lonely spot either in Tennessee or Mississippi and pistol-whipped and beaten by these men and forced to drive his own car toward Columbus. They followed him with guns and refused to let him go back to Holly Springs for his clothes.

"Jackson reported the incident to his superior, Ed Blair, who was staying at a Columbus hotel. Blair tried to get in touch with the Benton County sheriff but was unable to locate him.

9-1-53

"The FBI in Memphis was called and the State Highway Patrol. At 2 a.m. today Blair said a patrolman called and asked him to come to Ashland to swear out complaints. Blair demanded protection for the trip and when it was refused he would not go."

PYLES SAID Jackson was placed under the care of a doctor in Columbus.

Sheriff Joe Hensley of Benton County, said that Jackson was not seriously hurt.

"All I know is he was in town making house to house calls, probably trying to organize the Ashland shirt factory workers," the sheriff said. "Some man called him out to a car. They made him get in and drove off with him. That's all I know."

The Highway Patrol said it was working on the case but had nothing to report yet. The FBI in Memphis said they determined there was no federal jurisdiction and turned the case back to the Mississippi Patrol.

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100 pay $5 each to free Negro woman

News

McCOMB, Miss., Sept. 18—(AP)—One hundred widely known citizens of McComb put up $5 each to make bond for an illiterate Negro woman held as a material witness since last June.

Date 9-19-53

The president of the Chamber of Commerce, Rom Magruder, headed a community drive to form a trusteeship to raise the $2500 bond for her. At the last moment Chancellor F. D. Hewitt reduced the bond to $500.

Publisher J. O. Emmerich of The McComb Enterprise said "the bond would have been raised even at the $2500 for the people felt it unfair for the woman to remain in jail—charged with no crime—until such time as the state called her as a witness."

Emmerich started the campaign with front page editorials last week calling attention to the fact that the Negro woman was still in jail.

The publisher said the action was taken "not because of sympathy for her as an individual but because the measure of the law should apply to the least influential as well as the most influential."

The man in whose case the woman was to figure as a witness is free on bond, Emmerich said.

13 1953 MISSISSIPPI

Negro Attacks Hinds Deputy, Threatens Life Of Gillespie

Convicted Of Assaulting Bus Driver, Negro Slugs Juror In Court Uproar

A Negro prisoner just sentenced for attacking a bus driver created an uproar in a courthouse corridor Thursday by striking a deputy sheriff and a juror and threatening the life of several persons, including County Attorney Hugh Gillespie.

No one was injured and the prisoner, Lee Augustus Bailey, was subdued and placed in a cell in County Jail.

Bailey had just been convicted by a jury of assault and battery on W. L. Barrett, a driver for Jackson City Lines, Inc., near the veterans hospital and had been sentenced to pay a $300 fine and serve 90 days.

Asked if he wanted to be heard, he addressed the court and charged that he was the victim of racial discrimination and the jury was composed entirely of white men.

He was informed by the court that his charge of discrimination was the first heard by the court, but Bailey continued his attack for several minutes.

As he was being led down the second floor corridor in custody of Deputy Sheriffs Jim Kelly and Bob Thomas he attempted to break away. He struck Thomas and then struck a juror who had sought to aid the officers, before being subdued. Kelly's wrist watch was torn off in the melee.

Then, as he was placed in the elevator to the jail, he again tried to break away and threatened several persons, including County Attorney Gillespie. Officers said Bailey lunged at the attorney but was unable to reach him. He was taken to the jail and placed in a cell.

Attorney Gillespie said that he was weighing possible action against the prisoner.

Before finding Bailey guilty, the jury reported that they found the prisoner sane. He had earlier been confined to the Mississippi State Hospital at Whitfield for observation. Dr. R. K. Stacey of the hospital staff, said that physicians there found the prisoner sane.

Defense Attorney Hugh Cunningham sought to show that Bailey was suffering from epilepsy and was not responsible at the time of the attack on Barrett.

Jackson
News
5-14-53
P3

LOWNDES COUNTY BULLIES WAY-LAY AND SHOOT FLEEING NEGRO FARM OWNER AFTER MINOR DAMAGE TO AUTOMOBILE

Report No Arrest Or Investigation Following Brutal Incident

Say U. S. Department Of Justice Has Been Asked To Investigate Case

Advocate
Jackson Miss.
Sat 7-11-53
P1

COLUMBUS, Miss., July 7.—(DSN)—The leading Negro citizens along with the leading white citizens of this up-coming northeast Mississippi town are reported as having become deeply concerned and aroused as never before over the brutal shooting here several days ago of a Negro farm owner.

King Ransom, a Lowndes County Negro who lives on his own farm about five miles west of Columbus in the Motley community, was waylaid and shot Thursday, June 25, about 5:30 p.m. by a Lowndes County white planter, William Taylor, who also lives near the Motley community. The shooting was witnessed by Tom Evans, his companion, another white man, who also lives near the Motley community near Highway 82 West.

According to reports the shooting was the aftermath of an incident that took place in Columbus about 10 a.m., Thursday, June 25. It was reported that Ransom had his wagon and mules parked near the Pollard Blacksmith Shop near the Tombigbee River bridge while he trimmed the hoofs of his mules with a pair of shears. During the process of trimming the hoofs of one of the mules, the mule temporarily got off balance and accidentally pushed the wagon backward as a result of which the wagon bumped the car owned by William Taylor, which was parked near the blacksmith shop. Taylor's car was slightly damaged. Taylor then threatened to whip Ranson, and told King Ransom to get rid of his shears with which he was trimming the hoofs of his mules. Ransom refused to put the shears down, as a result of which Taylor did not make good at that time his threat to whip him. However Ransom assured Taylor that he was willing to pay the cost of having his car repaired and suggested that he take the car to a mechanic. The car was taken to the Pontiac dealers in Columbus and was repaired at a cost of $8.40. The amount of $8.40 was paid by Ransom to the Pontiac dealers. Taylor then expressed to at least two other people other than King Ransom that he

King Ransom re[illegible] patient in the Doster [illegible] until Friday, July 3, at which time he was discharged to go home, where he is still confined to his bed because of the wound.

According to reports both Taylor and Evans have the reputation of bullying Negroes and have beaten-up Negroes on several occasions with nothing being done about it.

No investigation or arrest has been made inasmuch as at no time has Ransom been interviewed by any law enforcement officer although he is physically able to testify. There have been other similar incidents to occur in Lowndes County and Columbus and the guilty parties have gone unpunished and the cases have not been properly investigated though the cases have been brought to the attention of the law enforcement officers.

In this case however, according to reports a full statement of the testimony and facts in the case have already been forwarded to the United States Department of Justice in Washington requesting an immedaite investigation of the case for possible arrest and prosecution of the two white men under existing Federal law.

According to the report Ransom was shot by Taylor, who was accompanied by Tom Evans, while Ransom was en route home in his wagon from Columbus following the car incident. The shooting is reported to have occurred about 5:30 p.m., Thursday, June 25, as Ransom was riding in his wagon near his home in the Motley community. Taylor and Tom Evans approached going in the opposite direction in a truck. When the truck and wagon met, the driver of the truck parked the truck crossways the road thereby blocking the way of the wagon. Taylor, with pistol in hand, and Tom Evans got out of the truck and start-

Adv
Sat 7-11-53
Jackson Miss.
P5

ed toward the wagon. Ransom then got out of the wagon and started running in the opposite direction. Taylor then shot Ransom from behind in the left hip as he was about to leave the road to go through a fence into a pasture. Ransom then turned and asked Taylor why he had shot him. Taylor replied, "I told you to stop and you kept running." Taylor then told Ransom that he did not intend to shoot him up as high as the thigh but down near the leg in order to stop him. Taylor then told Ransom to get into the truck and he would take him to the hospital. Taylor then took Ransom to Doster Hospital, Columbus, Miss., and told the hospital officials to treat him and that he, Taylor, would pay the bill.

Innocent man wins freedom

Afro-American

Served 9 years of 25-year term

JACKSON, Miss. — A 51-year-old man who has already served nine years of a 25-year sentence at notorious Parchman Prison for a crime he did not commit was released recently after Gov. Hugh White signed an indefinite suspension.

The prisoner, Archie Henderson of Hinds county, had been sentenced to 25 years in prison on an armed robbery charge. Governor White reviewed the case and agreed that Henderson should be released.

Both the prosecuting attorney who convicted him and the police officer who arrested him say they are now "convinced" Henderson was a victim of mistaken identity.

The then attorney, now Circuit Judge M. M. McGowan, said a series of armed robberies in Jackson and in Yazoo City in 1944 continued after Henderson's conviction. McGowan said the robberies ceased after another, Willie O. Walker, was convicted six months later.

Sat. 8-8-53

Innocent Man Freed After Serving Nine-Year Term

World P. 6

Atlanta Ga.

Wed. 8-5-53

BY JAMES B. LaFOURCHE

JACKSON, Miss. —(ANP)— After serving nine years of a 25 year sentence at Parchman state penitentiary for a crime which officials are now convinced that he did not commit, Archie Henderson, 51, is again a free man.

Henderson's indefinite suspension by Gov. Hugh White following years of unnecessary delay by former Governor Fielding Wright, and other lesser prison officials, is hailed as a victory by the daily press which first brought the incident to light styling Henderson as the "forgotten man."

The unfortunate victim was convicted in 1944 after a series of crimes which occurred around Jackson and Yazoo City.

Because he resembled the alleged one-man crime waver, Henderson was arrested and prosecuted by M. M. McGowan, now a Circuit Court judge who since the conviction is certain that Henderson is innocent of the alleged holdups.

After six months in Parchman the same crimes which had been attributed to Henderson continued, and another Negro, Willie Ollie Walker was arrested and the crime wave was over.

The only excuse the arresting and prosecuting officials had to offer for their injustice to Henderson is that both he and walker keenly resembled each other.

The penitent Judge McGowan, wishing to make amends for his unforgettable blunder, wrote former Gov. Wright in 1950 calling his attention to the fact that Henderson should be released because he felt that a "grievous miscarriage of justice" had taken place.

Mississippi-like, the matter received no attention and the case was put into waste basket No. 13.

Then Tom Saul, a resident member of the state parole board, convinced officials that Henderson and Walker were veritable Siamese twins. Couldn't tell them apart.

Saul reported to the board that Henderson had been given the bum's rush, and the board later made a written report recommending executive clemency for the innocent man.

But the board's request drifted along with time, and not until the Times-Picayune reported the incident did the Mississippi authorties act.

John Payne, chairman of the state parole board opened the case. He was serving for the first time, but he immediately transmitted the recommendations for executive clemency to Gov. White last week.

Coupled with Payne's letter of recommendation was a letter from Judge McGowan restating his position that he felt that Henderson had been the victim of a miscarriage of justice.

The directive which made Henderson's freedom possible read:

"This suspension is granted after an investigation and recommendation made by the Mississippi state parole board, which board has stated that, from the information it has received, Henderson has served a period of time in the penitentiary for what appears to be a crime he did not commit."

The document also carried the weighty conviction of Judge McGowan that "I am positive that a grievious miscarriage of justice was committed."

PRISONER FREED BY MISSISSIPPI

Times

Guilt of Released Inmate Doubted by Officials

Sun. 8-2-53

PARCHMAN, Miss., Aug. 1 (AP)— Archie Henderson, who spent nine years in the penitentiary, was free Saturday because officials who prosecuted him doubt his guilt.

Henderson was in Union, visiting his mother and showing her the suspension papers Gov. Hugh White gave him.

Henderson was also planning to go to Jackson where Wilson Minor, correspondent for the New Orleans Times-Picayune, had offered him help in finding a job.

Minor had been instrumental in obtaining Henderson's suspension. He learned that officials who had prosecuted the case now believe the Negro innocent.

P. 8

Henderson, a two-time loser, was convicted and sentenced to 25 years for a series of one-man robberies in Jackson and Yazoo.

The prosecuting attorney, now state circuit Judge M. M. McGowan, said the wave of robberies did not stop after Henderson's arrest.

It did stop, he said, after the arrest and jailing of another Negro who closely resembled Henderson.

McGowan said in 1950 he asked then Gov. Fielding Wright to pardon the 51-year-old Negro but nothing came of it.

In fact, Henderson had all but given up hope for freedom and continued to hoe cotton in the fields at the sprawling penal farm.

Then a prison sergeant told him to clean up and get ready to go, Gov. White had suspended his sentence because of the doubts in the officials' minds.

He left Parchman Friday night, wearing a new khaki suit, the only gift of the state. Minor gave him $10 to help him get started.

Man Freed After Nine Years Stay In Prison

Journal and Guide

Special to Journal and Guide

P. 1

PARCHMAN, Miss.—A man who spent nine years and nine days in the Mississippi penitentiary here for a robbery which he didn't commit walked out a free man last week.

As Archie Henderson stood at the entrance to the prison waiting for a southbound bus, he held tightly to a brown paper bag which contained the precious suspension papers that released him from a 25-year prison sentence for a robbery officials now think he didn't commit.

Norfolk, Va

Sat. 8-8-53

THE RELEASE was a most pleasant surprise to Mr. Henderson. He was beaming as he told how happy he was to win his freedom. He will have to start life all over again, but that made no difference to him.

The prosecuting attorney who handled the case said he had been plagued by the "gravest doubts" of Mr. Henderson's guilt.

IN 1950 THE attorney, M. M. McGowan, who is now judge of a state circuit court, asked Fielding Wright, who was then governor, to pardon the prisoner.

"But nothing came of the matter," he said.

Freedom day came to Mr. Henderson when Wayne Middleton, prison sergeant, told hi mthat Governor Hugh White had given him an indefinite suspension on the grounds that officials who handled his case nine years ago now believed him innocent.

Journal and Guide

Sat. 8-8-53

THE "JUDGE" believed Mr. Henderson was a victim of a miscarriage of justice and mistaken identity because in 1944 when a series of one-man robberies terrorized suburban stores, a big Negro was described as the gunman.

In the Princess Anne county, Va. murder-robbery-rape case, now pending in the court, the assailant was described by the white woman who was allegedly raped after her companion was killed as a "big Negro.")

* * *

MR. HENDERSON, who had two larceny convictions against his record, was a likely suspect, and witnesses identified him as the robber.

But several years later the judge noted that the same type robberies had continued even though the man convicted of the crime was no win prison. Later a man was caught in the act and was convicted. The wave ceased.

It turned out that the second man, also a Negro, bore a resemblance to Mr. Henderson. the real robber, Mr. Henderson might have spent 25 years in prison.

13 1953 NARCOTICS (ALABAMA)

2 Negroes Will Be Sentenced Today In $20,000 Drug Theft

13 Narcotics
Ala
Advertiser
p. 8 Wed 11/11/53
Ala
Montgomery

One Negro pleaded guilty and another was convicted on grand larceny charges in Circuit Court here yesterday in connection with a $20,000 drugs theft.

Abbie Holmes confessed to taking part in stealing drugs from the Durr Drug Company here where he was employed for more than seven years.

Eddie Jarratt, also Negro who entered a plea of not guilty, was convicted by a jury of stealing $15 worth of [illegible] from the drug company. He repudiated in court yesterday a signed confession he made in August admitting his part in the alleged four-man larceny ring.

Jarratt said he made the confession under duress.

The other two Negroes will appear in court at 8:30 a.m. today for sentencing. Maximum sentence for grand larceny is 10 years and the minimum is a year and a day.

Alleged ring-leader of the group which was nabbed in August of this year on charges of stealing an estimated $20,000 worth of drugs is George H. Parker, Wetumpka.

Parker, who worked as receiving clerk at the drug store for seven years, was quoted by arresting officers as saying that he permitted Jarrett and Holmes, as delivery boys, to steal merchandise from the company.

He said the theft had been going

in the companion cases, is charged with buying and selling stolen goods. He is Lamar McNeal, now in a hospital at Tuskegee.

McNeal will probably be tried during the February term of criminal court, Assistant Solicitor Robert Stewart said.

In another case before Judge Eugene Carter, Cleo Walker was sentenced to six months hard labor for driving while intoxicated.

Notice of appeal was made and bond was set at $500.

13 1953

NEW YORK

Wizard of the East, 111, Hexed by Brooklyn Cops

World Telegram

New York, N.Y.

Hailed Into Court As Fake Healer

P.10

By AL TURK,
Staff Writer.

Tues. 7-14-53

Mosha Byron, a dark-skinned man of lively temperament, who swallowed two 38-caliber bullets in Felony Court 15 years ago to show how healthy he was at 96, was arrested again today—this time for illegally practicing medicine.

At least Attorney General Nathaniel L. Goldstein's office made that charge, noting in a complaint that Byron had massaged and hypnotized two special women investigators who had gone to Byron's place of business at 221 Atlantic Ave., Bklyn., to tell the wizard of pains in the legs.

"Did I kill somebody?" cried Byron when Plainclothes Patrolman Abraham Fine walked in with a warrant. "Is somebody dead? I'm a chemist, not a doctor. I am 111 years old. This is disgraceful."

Plenty of Aliases.

Byron, who used to call himself Moishia Cecil Byron, said today he was an Egyptian, born in 1842 in Cairo and a resident of this country for 60 years. The records, however, show that he has been called a Negro healer, a Palestinian Jew born of Ethiopian parents, a Jewish Egyptian sometimes known as Saibi Suden, a witch doctor, an herb doctor and a teetotaler.

He used to say that a typical lunch of lettuce, red peppars, olive oil, kippered herring and salmon kept him fit. Today when Patrolman Fine walked into the laboratory Byron said the real secret was his daily swilling of pumpkin seed tea.

His shop is on the ground floor of a three-story building. On the second floor is a Chinese restaurant. Next to the laboratory is a beauty parlor. All are part of the Byron enterprises which bear the distinctive name of Dew Drop, Inc. Byron also operates under the name of the Egyptian-American Scientific League, Inc.

Shelves Loaded.

Gently massaging his glossy brown bald head, he glanced at the shelves loaded with pumpkin seed tea, Adam and Eve and Jericho incense, jars of herbs, and great masses of Egyptian hair oil, pomades, hair kink remover and hair restorer.

"Guaranteed to stop dandruff, thicken thinning hair, grow new hair," Byron said, caressing his shiny noggin. "This is highly confusing to me, being arrested at the height of the hair-growing season."

He was quiet, however, and went with Patrolman Fine to Magistrate Charles Ramsgate's Court in Bay Ridge where he was held in $1500 bail for a hearing July 24.

Byron used to wear a fez and long robes. He served at least two terms on Rikers Island for practicing medicine without a license. He used to live in one of Father Divine's Harlem heavens. He doesn't drink, he says, and doesn't smoke. But he goes for pumpkin seed tea.

In the Chinese restaurant, as Byron was led away ,three Negro women stared disconsolately at the empty tables. No customers. No Chinese food. Not even the smell of Chinese food.

Photo by De Marsico.

Mosha Byron in his store this morning.

13 1953

NEW YORK

Harlem Dope Boss Held; Has 50 Suits

World Telegram

A 26-year-old baker with 50 suits, 30 sports jackets and 25 pairs of shoes has been arrested as "the kingpin of the Harlem dope racket."

Wed. 7-29-53 New York N.Y. P. 10

Frank Madonna, of 308 E. 121st St., was seized in his apartment yesterday. Police said Madonna was strictly a wholesaler, who acted as the middleman between foreign sailors who brought narcotics ashore and New York dealers.

In the apartment, police said, was 50 ounces of pure heroin, worth $440,000 in the retail trade after being cut for sale.

Madonna begged narcotics squad detectives headed by Sgt. John Cottone, not to arrest him. He allegedly offered them $2800 to free him, and then said "If that isn't enough, let me know your price and we'll get together."

Madonna was booked at the E. 126th St. station on a charge of illegal possession of narcotics with intent to sell, and attempted bribery.

Won't Honor His Note

Holdup Man Tries Luck At Two Banks and Loses

Herald Tribune

P. 20 New York N.Y.

A young man tried to hold up a midtown bank yesterday with nothing but a note. Bank guards hustled him outside and turned him loose, whereupon he walked to another bank one block away clutching the same note. He tried the same trick, but this time he was literally sat upon until police arrived.

There were about sixty customers in the Manufacturers Trust Co. branch at 681 Eighth Ave., near 43d St., at 2:30 p. m. when the man, twenty-six, 6 feet 2 inches tall and wearing a lumberjacket, slipped an ink-stained note into a teller's cage to Mrs. Helen Kaufold. The note read: "This is a stickup. Pass over all your cash—and no one will get hurt."

Mrs. Kaufhold glanced quickly at the note—written on the back of a bank slip giving instructions on how to bank by mail—and then at the face of the man. She noticed his eyes had a glassy look. He showed no weapon.

"Oh, you'll have to see an officer out front about that," Mrs. Kaufhold said, trying to appear calm, and handed the note back.

With that, as the stranger just stood where he was, the teller slipped out of her cage and into another cage, which was unoccupied. She sat on the floor and called Miss Mary Mahon, assistant manager, on an inter-office telephone.

Thurs. 12-26-53

Miss Mahon telephoned police and motioned simultaneously to three armed guards, explaining by gestures that the man in front of Mrs. Kaufhold's cage was trying to hold up the bank. The three guards rushed him, searched him and pushed him into Eighth Ave.

Police rushed into the Manufacturers Trust branch just as the man with the lumberjacket walked into the Corn Exchange Bank at 669 Eighth Ave., at 42d St. There were about sixty customers there, too, as he slipped the note to teller John Anzalone. Mr. Anzalone, after reading the first sentence, whispered to another teller in the cage with him, John Kamuda, "Let's get out of here."

Both tellers ducked out of the cage and once they were out of the "customer's" range, began shouting a warning.

The man started to walk out nonchalantly when Frank Hall, the manager, and John Ahmuty, a guard, grabbed him. They sat on him until Patrolmen Richard Fiordelisi and Peter Tomaszewski, of the W. 47th St. Precinct, who had been looking for him in the adjacent IND subway, came running into the bank.

He identified himself as Isaac M. Alderman, a butcher's helper, of 501 W. 143d St. Through fingerprints it developed he has been arrested seven times and convicted once—for grand larceny.

"Did you take dope today?" he was asked.

"No."

'Were you drinking today?"

"A little."

He was asked why he attempted to hold up the banks.

"Every one else had money," he explained. "I needed some money. I thought it would be easy."

He was booked for attempted robbery and violation of the Sullivan law, the latter charge because police found a penknife on him—which was not used in the crime.

13 N.Y.

Herald Tribune P. 20 New York N.Y. Thurs. 12-26-53

Ted Kell

Seized as the hold-up man; he identified himself as Isaac M. Alderman.

Bomb Injures 14 In Tavern

Afro American

Cop Kills Marine Who Threw It

P. 6

Baltimore

NEW YORK — Fourteen colored persons and Puerto Ricans were injured Tuesday when a young white Marine sergeant hurled a phosphorus grenade into the Royal Flush Tavern. He was James Eugene McDermott who was killed when police officers caught up with him after a nine-block chase.

Windows of the tavern which is in Manhatten's Harlem area, were blown out and the neighborhood thrown into an uproar. Those injured were treated at nearby hospitals for cuts and burns and released.

Sat. 1-3-53

Two Arrested

Among those injured were John Dahill, 25, a policeman who had followed McDermott and two companions into the tavern; and John Orth, 50, a Federal narcotics agent.

Arrested as McDermott was slain were Mark Sutter, 19, home on holiday leave from Texas Air base; and Patrick Shanahan, 19, a sailor. All three lived on Amsterdam ave.

Hurls Epithet

Three police officers, passing the tavern, saw Sutter enter the place and followed him. He joined Shanahan and McDermott and then McDermott pulled the bomb from his clothes and shouted:

"I'll show these Spics something." (Spic is a derogatory term used to describe Spanish-Americans.)

He hurled the bomb toward the bar and it rolled like a ball of fire and then blew up. Patrolmen Vincent Beckels and John Hurson immediately gave chase as the three men dashed out. Beckels according to the police, shot McDermott in the head after the latter turned on him and attempted to cut him.

Cab Freed Of Assault

Afro-American

Denies Slugging Singer At Onyx

NEW YORK — Cab Calloway was freed of assault charges here last Thursday in a Mid-Manhattan court by Magistrate Charles F. Murphy.

Magistrate Murphy also lent advice to Harvey Grant, 30-year-old singer of 200 W. 88th st., who had Cab cited for allegedly striking him in the face at the Onyx club on May 22.

P 6

Aware of the fact that entertainers are subjected to being heckled and interrupted, Magistrate Murphy told Grant he should learn to perform despite interruptions and noisy patrons.

Baltimore Md.

The incident is alleged to have happened at the Onyx club where Grant was singing and where Calloway had dropped in between shows of "Porgy and Bess" in which he is playing.

Grant contends that Calloway precipitated the argument by talking loudly and attempting to grab the microphone while he (Grant) was doing his number.

Files $50,000 Suit

Grant, in the meantime, is reported as having asked his attorney to file suit against Calloway for the sum of $50,000.

The singer, charging Cab with assault, says that the alleged slugging openend a cut over his eye, which aggravated an old brain injury.

Sat. 1-3-53

Cab Denis Charges

Calloway denied hitting Grant, contending that Grant sustained the injury when several club patrons tried to restrain him after he threw the mike on his (Cab's) table.

Calloway further asserted that he had left the club when the melee took place. He deined all allegations in court.

Calloway's acquittal came on the eve of his 100th performance as Sportin' Life in "Porgy and Bess" currently at Broadway's Ziegfield theatre.

Brooklyn 'Chemist,' Claiming Birth in 1842, Is Seized on State Charge as Fake Doctor

Times

New York, N.Y.

Times New York, N.Y. 7-8-53 p. 56

The New York Times

SEIZED HERE: Mosha Byron, who says he is 111 years old, was arrested yesterday in Brooklyn for unlawful practice of medicine.

A sprightly old man who claims to be 111 years old was arrested yesterday in the basement shop at 221 Atlantic Avenue, Brooklyn, where he sells incense and other Oriental oddities, on a charge of practicing medicine without a license.

Wed. 7-8-53

Mosha Byron, who says he is an Arabian Jew born in Cairo on July 23, 1842, has a record of four convictions on similar charges since 1940, according to State Attorney General Nathaniel L. Goldstein. Mr. Goldstein's office obtained a warrant for the arrest after two investigators, Miss Elsie Jackson and Miss Corinne B. Hilton, submitted affidavits that Mr. Byron had diagnosed and treated them for supposed leg ailments.

Mr. Byron, who protested that he was a chemist, was released in $1,500 bail for a hearing in Bay Ridge Magistrate's Court on July 24. If convicted he faces a maximum sentence of a year in jail or a $500 fine or both.

p. 56

His story includes service in the Egyptian Army from 1862 to 1867, the study of chemistry in Egypt and Europe and residence in the United States since 1888, chiefly in Brooklyn. He says he became a United States citizen in 1920.

Mr. Byron used to wear flowing robes around Brooklyn, but when arrested he was in western garb except for a black yamulka, or skullcap, worn under his hat.

Though bald himself, he sells a pomade that is supposed to stop dandruff and grow new hair. Mrs. Beatrice Barnett, who runs a beauty shop in the same building, uses many of his cosmetic preparations. Other jars in Mr. Byron's shop contain such exotic substances as fish-worm oil, banana oil and elephant oil.

According to Mr. Goldstein's office, Mr. Byron told investigators that he was once a follower of Father Divine, but that Father Divine now followed him.

Mr. Byron, who is unmarried, attributed his hale and hearty condition to this fact. His health rules also include absention from tobacco, liquor and meat other than scaly fish. He said he ate only one meal a day, consisting of fresh fruit and vegetables with pumpkin-seed tea as his favorite beverage.

13 1953

North Carolina

2 Men Beat Rural Couple

White Pair Sought; Barged Into House

ZEBULON, N. C.—Two unidentified white men barged into the home of a colored couple on Route 4 and severely beat the pair with a pistol and then fled. Those beaten were Mr. and Mrs. R. Clenton Hodge who were taken to Raleigh for treatment at St. Agnes Hospital.

To date police have not arrested anyone in the incident. Said to be probing the beating are Deputy Sheriff Guy Massey and deputies C. C. Doan, L. S. Covert, Howard Johnson and Dwight Whitaker.

Claimed Car Trouble

Mr. Hodge told the sheriff that the men came to his home about 11:45 p.m. Monday and asked to use the telephone, saying that their car had broken down and they would like to call a garage.

When the men entered the house, one of them pulled out a gun and aimed it at him, Mr. Hodge explained. He then struck the man with he gun in an effort to knock it out of his hand, but his move failed.

The victim stated that both men then began beating on him and his wife. When the pair was almost insensible, the men fled.

Afro American
p. 13
Baltimore
Sat. 6-20-53

White Men Beat Up Negro Boy, Fined $5

RALEIGH, N. C. — (ANP) — Two white men who grabbed a Negro boy off the street, and beat him up, then found out he was the "wrong" boy, were fined only $5 and court costs for their actions.

City court meted out this "punishment" [illegible] one of the lawyers for the white men told the court they "meant no harm, but their action was ill advised.

Victim of the beating was Tommy Wyche, 17, the [illegible] colored youngster who refused to run when three of them saw the white men approaching. His pals who got away were not bothered by the whites.

The white men were W. E. [illegible]ll and Rudolph [illegible]. They picked up Tommy in March **on the grounds that he "slapped" their daughter. They roughed him up a bit before taking him to the girl involved, but she said he was not the boy.**

During the trial itself, the white men's attorneys bulldozed the boy.

Black Dispatch
p. 9
Oklahoma City
Okla.
Sat. 6-13-53

13 1953

OHIO

Cab Hits Girl; 3 Men Beat Up Negro Driver

[illegible]

p. 1

TOLEDO, Ohio—(ANP)—A Negro taxicab driver was brutally attacked by three white men here last week after his cab had struck the 4-year-old daughter of one of the men.

The cab driver, Emmitt Williams 34, was admitted at St. Vincent's hospital with broken ribs. The child, Linda Lee Miller, also seriously injured, was admitted at the same hospital.

Atlanta, Ga.

Police said that the child's father, Frank, became hysterical when the girl dashed from an alley into the path of Williams' vehicle. He and two unidentified friends brutally kicked and beat Williams.

Wed.

Williams, on his release from the hospital, said the trio threatened to kill him.

10-7-53

"I thought I was in Georgia," he said.

Despite the severity of the assault inflicted on Williams, police failed to make an arrest. Williams said he was asked by Red Cab Co. attorneys to withhold filing charges until they could complete their investigation of the incident.

Williams has been a taxi driver five years.

13 1953

PENNSYLVANIA

Six-Alarm Blaze In July Set to Hide Theft of $21,000

Inquirer P. 1
Philadelphia, Pa.
Thurs. 8-20-53

Porter, 20, Spent Loot for Auto, Trips With Bride, Suits, Payment On Home, He Tells Investigators

13 Pa

By CHARLES J. GILBERT

A 20-year-old porter admitted to detectives and fire officials last night that he set the spectacular six-alarm fire which swept the plant of the Eagle Upholstery Co. on July 2 in order to cover up his theft of $21,000 in cash from the plant's offices.

The porter, identified as Joseph Walcott, of Perth st. near Master, told investigators a bizarre story of spending his loot on an expensive new automobile, clothing, trips to New York with his bride, and even a down payment on a house.

Walcott, under questioning at Fire Department headquarters, Juniper and Race sts., calmly confessed that after he helped himself to a satchel full of money in the offices of the company at 2d and Thompson sts., he flipped a lighted cigaret into the foam rubber seat of a chair, and walked out.

200 FLED FROM HOMES

The chair, he said, was standing near a cabinet filled with paint, varnish and shellac. The fire which resulted apparently smoldered for several hours before it burst out with incredible violence shortly before midnight.

Fed by large quantities of foam rubber which the company had received a short time before, the fire burned with such intensity as to set fire to adjoining row houses. More than 200 persons were forced to flee their homes in the vicinity at the height of the blaze. Hours after the flames were brought under control, the walls of the big six-story plant collapsed, reducing the whole to total wreckage.

ANNOUNCES CONFESSION

Deputy Fire Commissioner Paul B. Hartenstein announced Walcott's confession shortly after 8 o'clock last night. The break in the case, he said, came about through the untiring efforts of Fire Lt. Wilmer Boardman, Assistant Fire Marshal; Chief William A. Hass, Fire Marshal; George Coyle, a special agent for the National Board of Fire Underwriters; Detective Capt. Irvin Mock and Detective Sgt. Joseph Grailey, who cooperated in the investigation.

QUIT JOB AFTER BLAZE

Circumstances at the fire made it appear likely from the beginning that it was of incendiary origin, Hartenstein said. And when Walcott, who had been employed by the Eagle firm for eight months, quit his job shortly afterward and went on a spending spree, suspicion pointed to him.

JOSEPH WALCOTT

Walcott came under surveillance after the owners of the upholstery company, Philip Feinstein, president; Harry Feinstein, vice president, and Harry Levy, treasurer, reported they were concerned over the fact that a considerable amount of money was in the factory when the fire started. Investigators afterward found the frame of the satchel which had contained the cash but only a few charred papers were inside it. The money, in $10 and $20 bills and currency of smaller denominations, was gone.

Thurs. 8-20-53

FOUND WINDOW OPEN

The porter, Hartenstein said, admitted the theft shortly after being taken into custody, and at the conclusion of questioning was slated at City Hall on charges of arson and burglary.

He said he went past the plant the night of the fire and noticed a window open on the second floor. Earlier, he recalled, he had seen a quantity of money left in the plant office. After some hesitation, he entered the place through the window, went down to the first floor and got into the office.

BURIED IN CELLAR

There, he said, he found the satchel containing the money pried it open and put the cash in a paper bag. He threw the cigaret in the chair just before leaving. Questioning failed to elicit any further efforts on his part to make sure the fire got to burning well.

Once outside, said Walcott, he went across the street to a taproom, where over a couple of beers, he debated putting the money back. He decided not to, and went instead to his home, where he took the money to the cellar, counted it and then buried it in a hole in the cellar floor. Afterward he went upstairs and to sleep as sirens a few blocks away announced the fire had been discovered.

GOT MARRIAGE LICENSE

The next day, according to Walcott's admission, he dug the money up again, went to an automobile dealer and paid $5400 cash for a 1953 auto, plus an additional amount for "extras."

One of the next items he got, besides seven new suits, was a marriage license. Once married, he drove the car on his honeymoon to New York. He said he gave $5000 to his father, telling the latter he had "hit" the numbers. He put $1000 in a Postal Savings account, $1200 on a house, bought an insurance policy, a camera and expensive luggage and put $1000 aside for spending money. After that there wasn't much left, he admitted ruefully.

The suspect's father, Joseph Walcott, Sr., of 15th st. near Thompson, denied having received $5000 or any like amount from his son.

MAGISTRATE TO SERVE 3 MONTHS:

Ralph Knox slated to begin sentence

Afro American Baltimore, Md.
Sat. 11-21-53

PHILADELPHIA — Ralph Knox Philadelphia magistrate, was scheduled to go to prison for three months Monday, ending a legal battle of two - and - one - half years.

P. 3

Knox, who is 51 and lives at 1900 W. Berks st., here, was convicted of irregulariues in handling bail funds, while in office. The sentence was imposed on him in March, 1951, by Judge Eugene V. Alessandroni. He was also fined $500.

13 Pa

Following his conviction and sentencing, Knox entered several appeals in the local, superior and supreme courts of the state. All were opposed by Malcolm Berkowitz, assistant district attorney, who set the date for Knox's entry into prison.

RALPH F. KNOX

Ordered to Desist

Although he was ordered out of office after his conviction, Knox continued to hold private hearings until the state supreme court ordered him to desist last September, in the course of staying his sentence to permit a final appeal to the U. S. Supreme Court.

He has since been employed at a local manufacturing firm.

Harry R. Back, Knox's attorney said last week that although there was time, then, to appeal to the U. S. Supreme Court, the move was unlikely, since Knox needed $315 to go before the tribunal.

The magistrate's pay has been held up by the city since last June, and Back said there was no immediate source of funds.

Sues Councilman After Unlawful Search, Wins

Independent P. 12

KNOXVILLE, Tenn. — James Easterly went into City Councilman Cas Walker's store to buy groceries. That was last March 2.

As he left, a night watchman George D. Hooks, followed and searched Easterly. The angered Easterly was so moved by the outrage that he brought a $10,000 damage suit against the councilman.

A Knox Circuit Court jury, hearing the case last week, first awarded Easterly, a maintenance man for Knoxville Housing Authority, $1 damages. After reconsidering, the jury fixed a $10 settlement. The second verdict was rendered because it was discovered that the wronged party would have to pay the court costs if the settlement was under $5.

Sat. 1-3-53

The verdict was against Hooks, the night watchman, but in favor of Councilman Walker. Judge John M. Kelly directed a verdict for Walker because he had not been sued individually. Cas Walker Cash stores is Hooks' employer. Hooks must pay court costs of about $50.

SURGEONS TRY TO SAVE SUSPECT IN SLUGGING

Commercial Appeal

Negro Will Be Questioned By Police If He Survives Brain Operation

P. 1

By JOE DERBY

A Negro suspect in the McKnight murder case, injured when arrested Saturday night, underwent brain surgery yesterday afternoon.

Earl O. Johnson of 346 Ashland was seized by police a few minutes after attacking Mrs. Ruby Lawhorn, 49, of 326 South Main. She was uninjured.

Memphis, Tenn.

Haven't Quizzed Him

Homicide Insp. Pete Wiebenga said police have not been able to question the 25-year-old Negro about the McKnight case or other recent sluggings. He said Johnson had been taken to John Gaston Hospital twice before since his arrest. The inspector said Johnson fell while being chased by police and hit his head on concrete.

Robert Hardy, superintendent at the hospital, listed Johnson's condition "critical" an hour before he was taken to surgery.

Referring to Johnson as a "likely suspect" in the McKnight murder and other sluggings, Inspector Wiebenga said he fits the description given by Mrs. Thelma Washburn of the man who slugged and robbed her April 1.

Mrs. Washburn, 39, was struck down 75 yards east of her home at 1500 Court. Her purse has not been recovered. She is recovering from head and face wounds at Methodist Hospital.

Mon. 4-14-53

Police Examine Letter

Miss Mary McKnight, 24, of Helena, Ark., was struck savage blows on the head last Jan. 2 on Montgomery, just south of Poplar. She died Jan. 4 without regaining consciousness. Her ransacked purse was found in a nearby alley.

Police yesterday were examining a letter containing the threat, "I will strike again." The letter was mailed last Saturday in Memphis and addressed to The Commercial Appeal.

The anonymous writer stated the police were "silly fools" to think the man they are looking for is a Negro. "I am white born. I will strike again." Mrs. Washburn described her attacker as "colored."

Fired Two Shots

The attack on Mrs. Lawhorn took place on Orleans near Washington, 12 blocks from where Miss McKnight was slugged. Patrolmen T. H. Rainey and J. E. Burrus rescued Mrs. Lawhorn as she was being dragged into nearby bushes.

The patrolmen fired two shots at Johnson as he ran. They caught him in an alley a half block east of Orleans. Johnson made no attempt to grab Mrs. Lawhorn's purse.

Mrs. Lawhorn, held as a material witness, was released yesterday. Nocharges have been placed against Johnson. Inspector Wiebenga said he discussed Johnson's connection with the sluggings with Atty. Gen. John Heiskell yesterday. He declined comment on the discussion, but said:

"We consider Johnson a suspect in these sluggings. There is a lot we want to ask him."

Mrs. Katie McMickle of 1136 Poplar and James Arnold of 268 North Claybrook were slugged and robbed in the Poplar-Montgomery area shortly before Miss McKnight was beaten. Their purses have never been found. Charges against Johnson are pending his recovery.

EVERYBODY TALKS, NONE ACTS:

Innocent prisoner Languishes in jail

13 Tenn

Afro-American P. 3

FRANKLIN, Tenn. — Here's the story of a man who was exonerated by a grand jury but later convicted by a court for a crime that he did not commit and sentenced to from one to five years, five months of which he has already served.

In spite of the fact that his innocence has been established, authorities here are having a terrible time attempting to decide what to do about the case of Albert Dobbins.

Mr. Dobbins went before the grand jury charged with attempted murder. The grand jury refused to indict him returning a "not true bill" in his case, which meant that that body found no cause for indictment and that he should not stand trial.

Baltimore, Md.

Sat. 10-10-53

Decision Misunderstood

But the prosecution mistook the jury's decision for a "true bill," brought Mr. Dobbins to trial, got him convicted by the court, following which he was sentenced to serve from one to five years. He is still in prison.

Now that the court's error has been discovered, Warden James Edwards of state prison says he won't release the prisoner until he has orders from the court to do so.

Can't Get Pardon

Judge W. J. Smith, who tried the case in court, and A. J. Bates, state prosecutor, expressed the opinion that Mr. Dobbins should be recommended for a pardon from the governor.

Charles Crowe, secretary of the state pardon and parole board, expressed doubt that the board could recommend a pardon for a man who should not have been in prison in the first place.

Meanwhile, Mr. Dobbins languishes behind bars.

Court Frees Man Serving Time Without Having Been Indicted

World P. 1

Atlanta, Ga.

Sat. 10-3-53

NASHVILLE, Tenn.—(SNS)— A vital legal oversight was somewhat compensated for yesterday when Governor Frank Clement pardoned Albert Dobbins of Franklin. It was discovered that Dobbins had served five months of a one to five year sentence for a crime he did not commit.

The 25-year-old youth was sentenced in connection with an attempted murder charge to which he pleaded guilty. However, the case was based on a grand jury presentment which was mistaken for a "true bill" instead of what it was, a "no true bill."

The mistake was made in April when a grand jury investigation presented its "no true bill" absolving Dobbins of the death of another Negro man. However, contrary to custom, the jurors all affixed their signatures to the presentment, a practice usually limited to "true bills" only.

Seeing the signatures, the state prepared its case and the defendant pleaded guilty. The mistake was not revealed until Thursday; the disclosure was made by Judge W. J. Smith of Franklin.

The case drew wide legal attention in that it solved the dilemma of disposition of like cases—those wherein a prisoner is sentenced without having been indicted.

13 1953

TEXAS

Ex-Tutor Indicted

132

[illegible]

P. 1

Dat. 10-3-53

[illegible]

HOUSTON, Tex.—A former Texas Southern University professor has been indicted by the Harris County grand jury on three charges of felonious theft.

Hadley Simmons, exposed as a "fake" post-graduate of Northwestern University in Evanston, Ill., by officials of Jackson College in Mississippi and Texas officials, is accused of securing a job on the TSU faculty and receiving a salary paid through state funds on the strength of bogus credits he claimed to have earned.

Simmons has been sought by Texas officials for several months, but the prevailing belief is that he has quit the state and gone "undercover" under an alias.

Woman Says White Man Shot Relative For No Reason

13 2

Informer

P. 1

Houston

Texas

Dat. 11-21-53

HOUSTON-Contrary to the story given police by a store owner that he shot an apparently drunk man on the leg, who attacked his 71-year-old father with a knife, last Saturday. The victim, Clinton Miller of Pearson Rd. said he had gone to see the elderly man about some timber which was cut on some of his relatives property.

M. S. Wiley, 34, white, who also operates a saw mill and lumber yard at 1315 Pearson Rd. told police he was tending store when he heard his father, C. J. Wiley, Sr. of 5602 Petty cry, "Don't cut me."

The younger Wiley explained the shooting this way:

When he got outside where his father was, he saw the Negro man with the knife. When Wiley screamed at him, he turned on him with the knife. Pulling his gun, the 43-year old man shot him once, meaning to stop him. The man ran to a car, jumped in and drove off. Wiley said he had never seen the man before.

Mrs. Washington Brown of 3208 1-2 Washington Ave. told THE INFORMER, that she, her husband and Mr. Miller went to the lumber yard to see Mr. Wiley because someone had cut timber on the Brown's property at 2312 Paul Quinn (Acres Home.)

A neighbor on Paul Quinn St. had called the Brown's and told them about the timber being cut.

Informer

When they went to see the elder Wiley, he told them that someone had hired him to cut timber, but he "might have gone over the property line."

Dat. 11-21-53

Becoming angry when Mrs. Brown began to recite her property rights, the elderly man allegedly began to curse, and Mr. Miller asked him not to in front of Mrs. Brown.

The owner pulled a knife out of his pocket, but Clinton grabbed him around the throat, she said.

By this time, his son had appeared. Wiley told his son that the sawmill was his and the Negroes were trying to overrun him.

P. 1

The son pulled a pistol out of a pocket and shot Mr. Miller.

"I was standing about three or four feet from Miller when he was shot," Mrs. Brown said.

The wounded man ran around the building and Mr. Brown asked Wiley not to shoot him again.

Mrs. Brown said they plan to take legal action against the Wileys.

13b 1953 (ALABAMA) (CALIFORNIA)

Alabama man charges illegal removal

HUNTSVILLE, Ala., June 11 — (AP)—A Huntsville Negro whose attorney charged that he was removed illegally from California says San Bernardino, Calif., police turned him over to two Alabama deputies.

P. 46

Dan Choate, 32, talked freely yesterday to a Huntsville Times reporter in the presence of Sheriff Cecil Sanderson and Solicitor Glenn Manning. The reporter was Pat McCauley.

News

The Negro was brought back to Huntsville to face charges of murder and arson following a 1950 fire at his home. His wife suffered burns and died later in Dayton, Ohio, officers here said.

6-11-53

CHOATE SAID he "put up a little beef" when he was released to the deputies at the San Bernardino City Jail Sunday night, because his attorney had told him he would be given a habeas corpus hearing Monday.

He said an officer who he believed was a Lt. Davis told him: "These fellow have papers for you. I have you in my custody and I am turning you over to them."

Choate said the deputies placed him in the San Bernardino County Jail for a few hours, and then brought him to Alabama. He was returned here to face trial on Grand Jury indictments of murder and arson.

Chief Deputy Gerald Breedlove and Deputy Sheriff E. H. Duffy brought with them a paper with the heading, "Endorsement of the officer from whose jail the prisoner was removed." and signed, "Capt. Herbert E. Hebert."

In California, Atty. Paul J. Henry of Los Angeles demanded that the deputies be prosecuted for kidnaping. He said that Choate was cleared by a coroner's jury, and Alabama requests for extradition were denied four times when Choate lived in Colorado.

Birmingham News

13b

CHOATE WAS identified by fingerprints after he was arrested in San Bernardino last week for illegally possessing firearms.

Police Chief James W. Ellis of the California city said the deputies appeared Sunday night and asked Night Capt. Hebert to allow them to take Choate to the San Bernardino County Jail for the night.

Ellis said the men were informed Choate was due in court Monday for a habeas corpus hearing. The police chief said that before the hearing police discovered that Choate was not in the county jail.

Madison County authorities said the Grand Jury indictments against Choate were returned on the basis of an investigation by county officers and the Alabama fire marshal's office. They said no coroner's verdict was returned here in his wife's death.

13b 1953

(Alabama) (Michigan)

Probe 'Kidnaping' Of Alabama Fugitive

Call

Jan 1-2-53

DETROIT — (INS) — Angry Michigan authorities, from governor down, Tuesday probed the apparent "kidnaping" of a Detroit Negro who reportedly was seized at gunpoint and whisked out of the state by two men claiming to be Alabama Deputy sheriffs.

The case involves 21-year-old Girdis Hill, wanted in Alabama for jumping a $300 bond in a traffic case.

Hill was seized as he walked to a Detroit Grocery Sunday. He was lodged overnight in the Toledo, Ohio, jail and started on his way to Birmingam, Ala., Monday.

Michigan Gov. G. Mennen Williams, who has not issued extradition papers for Hill, made a futile effort Monday night to halt the flight. He wired Ohio Gov. Frank Lausche to intercept the party but the telegram arrived a half hour late.

Tuesday, Williams ordered a thorough investigation and prepared a formal protest to the Governor of Alabama.

One of the men escorting Hill identified himself as Herbert M. Batson, who said he was a special deputy and bondsman from Birmingham. His partner remained unidentified.

Kansas City Mo.

Both Birmingham police and Jefferson County authorities said Batson was not a law officer. However, a Birmingham bonding company said Batson was employed to pick up a bond jumper in Detroit.

Batson said as a bondsman, under Alabama law, he could "go into any state" and get a bond jumper without benefit of an extradition warrant.

P. 10

An FBI agent questioned the two Alabama men and Hill in Toledo last night but concluded that no federal law had been violated.

Assistant Wayne County prosecutor, Joseph Bannigan, however was particularly incensed. He recalled that two men tried to retake Hill last May but were thwarted when Hill's friends called Detroit police. Said Bannigan:

"We've had a series of those fellows coming up here from the South and shanghaiing our people like this. They just want to go right in and take people".

Detroit police Inspector Charles Searle said the case appeared "an out-and-out kidnaping."

Batson denied Hill's account completely.

The bondsman said he was in Detroit in search of another man on a Juvenile court warrant and only changed on Hill. He explained:

"I know Hill personally. He willingly agreed to go back to Alabama because he said he would rather do that than be drafted into the army."

Admitting that he was not fully acquainted with all the facts in the case at this time, Gov. Williams pointed out:

"My only interest at the moment is to prevent Hill from being taken further away from Michigan. No officer from outside the state has the right to come in here and make an arrest without first getting permission of Michigan authorities."

Negro Is Sentenced As FBI Weighs Kidnap Accusation

Advertiser

P. 2

Montgomery Ala.

Dat 1-3-53

BIRMINGHAM, Jan. 2 (AP)—A 22-year-old Negro who Detroit authorities claim was kidnapped by a Birmingham bondsman today was given a 30-day jail sentence on a traffic charge pending when he left Alabama.

Gerdis Hill pleaded guilty to driving while under suspension. Acting Traffic Court Judge Manuel Levine imposed a $100 fine in addition to the jail term.

The Justice Department, at the request of NAACP attorneys is making a preliminary investigation to determine whether any federal laws were violated when Hill was removed from Michigan to Alabama.

Department officials said the FBI had been looking into the case for several days.

Hill was picked up at Detroit last Sunday by H. Grady Batson, Birmingham bondsman, who said he had the necessary papers. The Negro was taken to Toledo, O., and registered there as a bond jumper, then brought to Birmingham.

The Detroit district attorney has said he plans to go ahead with kidnapping warrants in the case

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Alabama Officials Say Arrest Legal

Call

P. 10

Kansas City Mo.

Jan 2-53

BIRMINGHAM, Ala. — (INS) — Alabama officials and employers of a bonding company officer who took a Michigan Negro from Detroit for bond jumping without Michigan extradition, Tuesday said the arrest seemed legal under federal codes.

A spokesman for the Birmingham bonding company where H. Grady Batson is employed said Batson was within his rights in arresting the 21-year-old man, Gerdis Hills.

Michigan authorities had called the action "out-and-out" kidnapping and Gov. G. Mennen Williams had prepared a formal protest to Alabama Gov. Gordon Persons, after Hills was taken from the state and lodged overnight in Toledo, Ohio.

The bonding company spokesman said the federal code permit the jurisdiction where the bond is bailjumpers in any state.

Circuit Solicitor Cecil M. Beason, of Jefferson County, backed that interpretation of the code, stating that when a man has fled the jurisdiction where the bond is issued, the bondmaker can apprehend him in any state on a certified copy of the bond.

Gov. Persons' legal advisor, Assistant Attorney General William McQueen, says no word from Michigan has yet been received at the Montgomery office of the governor, as far as he can tell, but agreed that the federal code permitted the arrest, as far as his general knowledge of the law and the case was concerned.

Hills is wanted in Birmingham for jumping a $300 bond posted in a traffic case.

Alabama Lawyer Saves Detroit Minister from Home Town

Call p. 19

Jan 1-30-53

Kansas City Mo.

DETROIT — (ANP) — A fugitive warrant against the Rev. Percy Lewis, 42, was dismissed in Recorder's court last week by Judge W. McKay Skillman.

Rev. Lewis, former pastor of St. Mark AME church in Daleville, Ala., fled from his home town of Dothan, Ala., Nov. 13 when a white business man who had loaned him $36 threatened to kill him for non-payment of the debt.

Samuel L. Weller, counsel for Rev. Lewis, introduced a letter into the testimony that he received from the minister's probation officer at Dothan that read in part as follows:

"I have investigated the reasons for Rev. Lewis leaving here. I have found the facts to be true, and under the conditions I don't blame him for leaving.

"You will probably be surprised to know of the feeling in this town against the man who threatened the minister.

"We would like to press charges against him, but it would be necessary for Rev. Lewis to return here, so in view of those conditions I deem that it is best not to seek any form of prosecution.

"Please be advised that Rev. Lewis is no longer wanted in Alabama for violation of his probation.

"Tell him if there is anything that I can do to aid him I will be glad to do so."

In dismissing the warrant Judge Skillman said, "at least, Alabama has one star in its crown."

Negro, Handcuffed to an Auto, Flees Bondsmen, Is Recaptured

Herald Tribune P. 13

New York N.Y.

Jan 1-53

LOUISVILLE, Ky., Dec. 31 (AP).—Jefferson County police last night recaptured a twenty-one-year-old man who escaped from Alabama bondsmen who were returning him to Birmingham.

Police identified the man, reported to have been snatched by the bondsmen from a Detroit street as a bond jumper, as Gerdis Hill, a Negro. They said he had been handcuffed to the steering wheel of a nautomobile while the bondsmen went into a restaurant south of Louisville for sandwiches. When the pair returned, Mr. Hill had worked the handcuffs loose and had escaped.

Officers said one of the bondsmen identified himself as H. G. Batson of Birmingham, but they didn't learn the name of the other. The police turned Mr. Hill back over to the bondsmen, who resumed thei rtrip to Birmingham.

Meanwhile, Michigan authorities, indignant over what they termed the kidnaping of Mr. Hill in Detroit on Sunday, thumbed law books to determine whether they could prosecute the man's captors.

13b 1953 (Florida) (New York)

'Limpy' Gets Dade Escort For Journey

Thurs 9-10-53

George (Limpy) Anderson, 35 year-old Negro indicted for the killing of County Road Patrolman Edward E. Fritz, Jr., last Feb. 3 waived extradition in New York Wednesday and was taken in custody by two Dade county sheriff's deputies.

Herald

1st Ed.

Miami

P. 3D

In Miami, Circuit Judge George E. Holt Wednesday refused to quash the first degree murder indictment of Percy (Wassie Blue) Armbrister, one of two other Negroes charged in the slaying.

The third suspect indicted in the death of Fritz is Richard (Fat Back) Floyd.

A preliminary hearing for the three men is set for Monday.

Thurs 9-10-53

Leo Sheiner, Armbrister's attorney, argued before Judge Holt that the indictment was faulty because it did not specify when and where Fritz was slain. But when Assistant State Attorney Joe Eaton offered a bill of particulars, the judge ruled that was sufficient.

Anderson, who fled the Dade county jail in May and was captured in New York after a gun battle Aug. 27 with a Bronx policeman, was turned over Wednesday to Deputies Jack Kirby and Donald Lohmayer.

They were expected to return by train with Anderson in handcuffs and leg shackles.

13b 1953

(GEORGIA) (NEW JERSEY)

State Sent Boy, 12 To Chain Gang For Term Of 15 Years

Youth Was Accused Of Stealing 5 Automobiles In 1940; Case Has Been Hard Fought By NAACP; U. S. Supreme Court Asked To Let Victim Remain In New Jersey

Globe and Independent
Nashville Tenn
p. 1
Fri. 12-11-53

New York—The U. S. Supreme Court was asked last week to review the case of Jesse Dukes, two-time escapee from the Georgia chain gang to New Jersey and now being held in the Passaic jail for extradition on the demand of Gov Herman Talmadge.

Dukes, at the age of 12, was sentenced to serve 15 to 25 years on the Georgia chain gang for the alleged theft of five automobiles at a trial that lasted only a few minutes and at which he had no counsel or advice. He escaped for the second time last year and fled to New Jersey, where he was picked up in June and later arrested under a warrant requested by the Governor of Georgia.

His case was fought in the New Jersey Courts by the Paterson Branch of the National Association for the Advancement of Colored People. The New Jersey Supreme Court recently said Dukes must return to Georgia.

In the petition to the U. S. Supreme Court, NAACP Attorneys claim that the New Jersey high court erred in permitting Dukes to be taken back to Georgia and that the Supreme Court should review the case.

According to the papers filed in the case, Jesse Dukes, just 12 years old, was snatched from his bed at 1:30 on the morning of May 14, 1940, and dragged from his parents' sharecropper plantation home in Burke County, Ga., where they lived with 8 of their 12 children.

Five automobiles had been stolen three days before, Saturday, May 11, in the town of Waynesboro, 13 miles away, and the sheriff, his deputy, the local jailer and another man came to get Jesse for stealing the five cars.

The sheriff and his aids broke the house door down. As they snatched him from his bed, he fell to the floor. One of the men hit him on the head so hard it bled.

The boy was thrown into a car and handcuffed to the door. He was beaten for hours and told to say that he stole the five cars.

"We'll kill you if you don't say you took them," the sheriff is reported to have told him. He was still handcuffed to the car door.

At eight o'clock he was taken into court before Judge Franklin When asked if he pleaded guilty or not guilty, the jailer spoke up "Guilty, he pleads guilty!"

The boy never had a chance to say whether he was guilty or not. The judge immediately sentenced him to three to five years at hard labor for each of the cars supposedly stolen, a total of 15 to 25 years The supposed trial was held without the boy having counsel, relatives or anyone to advise him that his constitutional rights were being violated.

Jesse had never been to school, did not know how to drive a car and still can't.

He was sent to the Burke County chain gang where iron picks were clamped on his legs, and he was given the same treatment as adult convicts.

Eighteen months after being on the chain gang he had his thigh crushed when a truck transporting prisoners overturned. As a result of the accident he now wears a metal plate in his right leg.

Dukes made his first escape to New Jersey in January, 1948. Three years later, 1951, he was located and returned to Georgia.

He was sent to Cobb County Camp. There he was beaten unmercifully, put in a sweat box with a half inch of water on the floor for 12 days.

In January, 1952, he escaped again and fled to New Jersey. The Georgia officials located him six months later and demanded his return.

The Paterson Branch of the N. A. A. C. P. intervened. An Attorney was engaged to fight the extradition on the grounds that his constitutional rights had been violated.

On December 13, 1952 the case was taken to the New Jersey Superior Court, Law Division to show that Dukes' constitutional rights would continue to be violated if he should be returned to Georgia.

This court refused to hear testimony showing that the boy not only had been denied his constitutional rights but cannot expect justice in the Georgia courts.

Globe

The case was then taken to the Appellate Division of the New Jersey Superior Court on June 15, which also refused to hear the testimony.

Fri 12-11-53

A petition for certification was made to the New Jersey Supreme Court by the NAACP and was denied on September 21.

In asking the U. S. Supreme Court to review the case, the Attorneys for the National Association for the Advancement of Colored People claimed that the New Jersey Supreme Court erred in upholding the lower courts' refusal to hear the evidence showing that Dukes' conviction was in violation of the Federal law and that by sending him back to Georgia his rights would continue to be violated.

"To return him now would be to place him in a position where his constitutional rights will be unenforceable in the local courts because access to them has been effectively prevented," N. A. A. C. P. Lawyers contend in their petition.

The New Jersey courts have decided a matter not previously decided by this Court and in a manner probably not in accord with the applicable statement of the law by this Court, they argue.

NAACP Lawyers for Dukes are Thurgood Marshall, NAACP Special Counsel and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc., Mendon Morrill of Paterson, New Jersey, Jack Greenberg and Elwood H. Shisolm, both NAACP Associate Counsel of New York.

Court Asked To Halt Ga. Extradition

Journal & Guide
Norfolk, Va.
Sat. 12-12-53

Boy Jailed When 12, Has Twice Escaped From Chain Gangs

p. 1

NEW YORK — The U. S. Supreme Court was asked last week to review the case of Jesse Dukes, two-time escapee from the Georgia chain gang to New Jersey and now being held in the Passaic jail for extradition on the demand of Gov. Herman Talmadge.

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* * *

THE NEW Jersey Supreme Court recently said Dukes must return to Georgia.

In the petition to the U. S. Supreme Court, attorneys claim that the New Jersey high court erred in permitting Dukes to be taken back to Georgia and that the Supreme Court should review the case.

Norfolk, Va.

ACCORDING TO the papers filed in the case, Jesse Dukes, just 12 years old, was snatched from his bed at 1:30 on the morning of May 14, 1940, and dragged from his parents' sharecropper plantation home in Burke county, Ga., where they lived with 8 of their 12 children.

p. 2

13b 1953

(Mississippi) (Louisiana)

Man Returned To Mississippi After 15 Years Freedom

Black Dispatch

p. 3

NEW ORLEANS. — (ANP) — Hogan (Preacher) Mayberry, 70, an escapee from the Mississippi State Prison Camp at Parchman, was back in the toils of the law again after 15 years of freedom. It was a gloomy Christmas for the aging fugitive whose 29-year-old wife expects an addition to the family in January.

Jan 53

1-10-53

Mayberry, serving a sentence of one to 20 years for manslaughter, escaped Parchman in 1937.

Preacher, as he is known best to his friends and co-workers with whom he loads banana boats, told arresting police that not since 1930 when he got into the fight which caused him to be sent to prison has he been in any trouble.

Preacher is not an ordained minister, but because of the little sermons which he preaches to his friends on the river he has earned for himself the revered title.

In the neighborhood where he has lived for the past two years with his wife, "Preacher" is held in high esteem. In fact, neighbors feel that rehabilitation in Mayberry has been accomplished.

Oklahoma City, Okla.

Getting back to the trouble which led to Mayberry's arrest, the latter said that he got into a fight with two other men one of whom had a gun. Mayberry disarmed one of his attackers and shot him. Then came the sentence of one of 20 years.

Working as a prison trusty at Parchman, Preacher said that two prisoners under his care escaped and for this he was beaten by guards. He then made up his mind to run away too, he said.

When taken into custody the long sought for man readily admitted his identity and waived extradition, agreeing to return to prison.

13c 1953

ALABAMA

45th Slaying Among Birmingham Negroes

BY MARCEL HOPSON

The fatal coal shovel-beating of a young woman allegedly by her reported common-law husband, Saturday night, figured as the 45th slaying among Birmingham Negro citizens with only five weeks remaining in 1953, police said.

Victim of the latest slaying was Miss Bertha Lee, 20 of 2906 North 28th Avenue ,who was beaten to death with a coal shovel around 8:15 o'clock, during a dispute in her home, police said.

Homicide detectives arrested Finley Brooks, 23-year-old reported common-law husband of the victim, and placed him in jail on a suspected charge of murder in connection with Miss Lee's death.

Police said Brooks fled the scene of the slaying following the act but was taken into custody a short time later. A Bradford ambulance removed the slain woman's body from the scene, records show.

11-27-53

SECOND SLAYING WITHIN 24 HOURS

Miss Lee was the second of two victims whose lives were snuffed out within 24 hours, according to reports. First victim within that period was Theo (Big Red) Sims, 45 of 623 North 13th Street, who was fatally shot while reportedly standing in the doorway of the "Washington Cafe" at Corner 14th Street and North Seventh Avenue, around 3:45 a. m. Friday morning, November 20, police said.

Charged with suspected murder in connection with Sims' death is 24-year-old Joe Crawford, of 906 North Eleventh Street, who is presently confined in jail, this week, awaiting transfer to County Jail and a preliminary hearing.

"THE SPIDER STRUCK"

Evie James Jr., 16 of 312 South Eleventh Street, may not be too familiar with three-D mysteries or television shows. but he can testify that he has felt the wrath from the 'Spider."

Young James told police that another young boy who calls himself "The Spider," and lives in the South 13th Street area, allegedly stabbed him during a squabble in South Third-al between 11th and 12th Streets, around ten o'clock Friday night.

The victim, the son of Mrs. Pearlie Mae James, explained to police that the "Spider" stabbed him with a knife during an attempt "to run me out of the alley."

Investigating officers said no arrest was made due to insufficient information.

"NOT EVEN SAFE AT HOME"

Nelson Mosely, 32 of 1330 North Sixth-al, has found out that even a person's home is not safe from assailants. Mosely was stabbed on his right arm by an unknown person around 9:30 o'clock, Saturday night, police were told.

Mosely reported to investigating officers that he and his wife were sitting on the front porch of their home when the unknown assailant sneaked up and stabbed him.

Investigating officers said Mosely was apparently in a "drunken condition," when they arrived and was unable to give sufficient information to warrant an arrest order for the assailant. He was admitted to the Veterans Administration Hospital.

"TROUBLE BLUES"

Miss Lillie Hunter, 15 of 2220 South Third-al, informed police that she was having those old "trouble blues" again.

Miss Hunter reported that Arthur (Willie) Brown(of 325 South 22nd Place, the man 'I have been having trouble with," met her Saturday evening ,around five o'clock, at South Third Avenue and 25th Street, and allegedly stabbed her in the right leg with a pocket knife during an argument between them, police said.

The victim was identified as the daughter of Mrs. Willie Lou Young, of the same address. A man, identified as Walter Hill, 20 of 2416 South Third Avenue, was named as a witness, officers said.

"UTTER NOT A WORD"

Clemmie Givhan, 25 of 1121 1-2 Short South Third-al, complained that he was stabbed with a pocket knife by an unidentified woman around 2:45 o'clock early Saturday morning, at 18th Street on North Fourth Avenue, police said.

Givhan, husband of Mrs. Eunice Givhan, of 2501 North 16th Street, told police that "I just spoke to the woman" and she began to slice him up with the blade.

The victim, who police said appeared "drunk," claimed that he knew the woman and where she lived but did not know her name.

"LOVELY FRIENDS"

Robert Bulger, 26 of 138 Southwest Wilson Court, who became a knife victim, around 10:30 o'clock Saturday night, at a residence listed as 1528 North 20th Avenue, got first-hand knowledge of a "friend's love," police said.

Bugler stated to police that he was visiting with some "friends" at the house and didn't know which one of them chopped on him or why during an argument. The victim sustained a cut on the upper part of his left arm.

Officers said no arrest was made due, to insufficient information given by Bulger who was apparently "drunk," records disclosed.

11-27-53

The victim was listed as the son of Mrs. Susie Bulger, of the same address.

"BATTLE OVER YOUNG'UNS"

Mrs. Rita Moore, 40 of 5 Sloss Quarters, said she was cut allegedly by Herman Hall, of the same address, during an argument "over their two children," around 7:15 o'clock. Saturday morning, in their home, police reported.

Mrs Moore, who sustained a wound on her left forearm during the combat session, apparently had been drinking and was unable to give sufficient information to warrant an arrest for Hall.

"BOTTLE-HEAD COLLISION"

Mrs. Clarkie Finch, 34 of 419 North Seventh Street, stated that she was conked over the head with a fruit jar allegedly by Sammy (Babyboy) Finch in their home around 4:15 o'clock early Saturday morning, police said.

Mrs. Finch said the fruit jar broke, after contact with her head, and the shattered glass out her on the head, left arm and wrist. She stated further ,police said, that Finch allegedly gave her a "going-over" with his fists just before he put the fruit jar in flight in her direction.

Officers said no arrest was made since Mrs. Finch refsed to press charges. She was identified as a sister of Mrs. Annie Lee Robertson, of the Wenonah mining camp.

"MUSCLE SHOW"

The unexpected "visit to the floor" by 17-year-old Allen Clayton, of 1620 22nd Street, Ensley, around 7:30 o'clock Friday night, was ruled "accidental" and no arrest was made, police said.

However, Clayton told police that he and a young Richard Shavers were playfully wrestling reportedly at the "Blue Front Cafe," on 21st Street between Avenues P and O, when he sent him to the floor.

Officers said medical examination indicated that the victim suffered a possible fractured left collar bone.

"Was Shot To Death"

A Birmingham policeman last Tuesday was fatally shot by a man who reportedly had attempted to hold up a woman. The assailant was also slain. P. 8

The officer fell in the line of duty, from all available accounts. He was trying to protect life and property from a man whom it seems did not have regard for either. 15 - Ala

This tragedy points up a serious problem in this city. This newspaper has called attention many times to the stabbing and shooting problem in this city as it relates to, and within the Negro group. Now it has horribly extended beyond the group in this one instance. Birmingham, Ala.

We are shocked and saddened by the tragic death of this officer and extend to the family our sympathy. Law enforcement, like any other public service, often has its casualties.

Should this bestir Birmingham to become calmly and sanely concerned about the homicide problem in this city, this officer who fell in the line of duty in so doing will have made a heroic contribution. 11-6-53

Homicides are too numerous and often apparently needless in Birmingham.

TWIN VERDICT CHARGES MURDER AND JUSTIFIABLE HOMICIDE; NEGRO AND POLICEMAN KILLED

BIRMINGHAM, Ala., Nov. 7.—Coroner Joe L. Hilderman returned a double verdict of murder and justifiable homicide in the three-way pistol battle Tuesday afternoon in which a Negro yard and handyman and a veteran police officer were killed at the intersection of North Fifth Avenue and 14th Street.

P. 1 Jackson, Miss

Identified As Preacher

The victims were Henry Berry, 67-year-old yardman identified as a free-lance preacher, and Officer Fred R. Brockman, 52. The policeman and Berry both emptied their pistols and a rookie policeman shot one during the blazing exchange of gunfire, homicide detectives said.

Berry, who resided at 4 North Short 42nd Street, died instantly at the scene, after having been struck five times by .38 calibre pistol slugs, investigators said. Officer Brockman, a veteran of 19 years as a policeman, was pronounced dead on arrival at West End Baptist Hospital. He was shot one time above the heart and once in the lower left thigh, officers stated further.

Woman Claimed She Was Robbed

Homicide detectives investigating said Officer Brockman and his partner, C. E. Pyle, had answered a reported robbery complaint to a small fruit stand at 612 North 13th Street.

Mrs. Mary Jones, 44-year-old operator of the fruit stand claimed that she had been robbed of $13 at gunpoint by a man she identified as Rev. Berry, police said.

Detectives said Mrs. Jones got into the police patrol car and assisted police in seeking the robbery suspect. She said Officer Brockman was riding in the rear seat with her, and Officer Pyle, a two-month service policeman, was driving when she spotted and pointed at the suspect who had allegedly robbed her. 11-14-53

Police stopped the car and when Officer Brockman opened the door and got out, Berry reportedly pulled his gun and started shooting at the officer, detectives said.

Twin Verdict Charges Murder And Justifiable Homicide; Negro And Policeman Killed

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Man Admits Slaying

Miami Fla Herald

TAMPA —(UP)— A 31-year-old Negro dairy cleanup man confessed Saturday night he murdered a Tampa milkman whose strangled body was found on the diary rooftop Friday after a four-day search.

P. 1 11-22-53

Detective Inspector O. C. Beynon said Willie Sutton, night cleanup man at the Borden Dairy Co. plant, confessed to knotting a cloth belt around the throat of Anthony T. Mosely, 29, father of three children.

Ironically, Sutton was in the county jail for most of the time police had been searching for the killer. He was jailed on a manslaughter charge stemming from the death Tuesday of a two-year-old Negro child, who police said, struck by a car driven by Sutton.

Police said Sutton told them he killed Mosely in a fight which started when Sutton accidentally jabbed Mosely with a mop handle. But the Negro denied robbing the milkman of about $125 which dairy officials said Mosely carried at the time he disappeared Monday night.

Railroader is slain after drunk arrest by Winston deputy

P. 12

HALEYVILLE, Ala., Dec. 9—A Winston County sheriff's deputy shot and killed a 38-year-old railroad worker who had been arrested on a charge of drunkenness near here last night.

Coroner J. R. Nichols said Deputy Dillard Lowman fired at James Dancer of the Delmar community after Dancer jumped from an auto in which he was being taken to jail.

12-9-53

Lowman had arrested Dancer about 7:30 p.m. in the Needmore community, three miles northeast of Haleyville. Before they left Needmore, Dancer asked the deputy to telephone relatives and notify them of the arrest.

When Lowman got out of his car at a Needmore store, Dancer jumped from the auto and ran, Coroner Nichols asserted.

ONE BULLET fired by Lowman struck Dancer in the upper left leg. The slug passed through the leg and wounded the prisoner in the lower right leg.

An artery in the left leg was severed and Dancer died from loss of blood, the coroner said. He was pronounced dead about a minute after being admitted to Blake-Manasco Hospital here.

Coroner Nichols said he was withholding his finding in the shooting pending further investigation.

Dancer was employed as a railroad section crew worker. He was the father of several children. The Dancer home in Delmar is about five miles southwest of here.

Rail Worker Slain In Haleyville

HALEYVILLE, Ala. (AP) — A 38-year-old railroad worker was shot and killed near here yesterday a few minutes after his arrest on a charge of drunkeness.

Coroner J. R. Nichols, who has not completed his inquiry, said Deputy Sheriff Dillard Lowman shot James Dancer of the Delmar community, when Dancer tried to escape.

P. 8A

Nichols said Dancer asked the officer to telephone relatives and notify them of the arrest, and when Lowman got out of his car to make the telephone call Dancer jumped from the auto and ran.

Montgomery Ala

Dancer was shot in the left leg and died from loss if blood just as he was admitted to a hospital.

Dancer was a railroad section crew worker here. He had a wife and several children. 12-10-53

WIFE OF MURDERED ALASKAN DENIES HAVING BEEN INTIMATE WITH JAILED ORCHESTRA MAN

Diane Wells Denounces as Lies Johnny Wells' Statement of Fairbanks Intimacies With Her

VOWS TO APPREHEND SLAYER OF SPOUSE

FAIRBANKS, Alaska - (ANP) - A blonds widow held with a Negro drummer on charges of murdering her wealthy husband, last week denied any romantic interest in the musician.

The widow, Mrs. Diane Wells, denounced as lies a statement of Johnny Warren, a jazz drummer, that he and Mrs. Wells had been "very friendly."

Warren reportedly gave a 20-page statement to Oakland, Calif. police at the time of his arrest. In the statement he said he met Mrs. Wells while playing a dance where she was a guest.

"I could see in her eyes that she might appreciate attention," Warren reportedly said in his statement on their first meeting.

When asked about Warren's statement, Mrs. Wells in her denial said in part:

"I have no comment, other than to say that they were all complete lies. I don't know why he said what he did, but everything he told police was a lie.

"I only met him accidentally in September, but I don't know him very well. In fact, I hardly knew him at all."

Mrs. Wells then vowed to catch the slayer of her husband as the only way of clearing her name.

Wells, who owned extensive mining interests, was shot fatally on Oct. 17, while asleep in his 18th floor apartment.

When arrested, Warren admitted having been in the lobby of Wells' apartment house early in the morning of the day Wells was slain. He said he was waiting for a friend with whom he was to ride to Oakland.

Warren also admitted carrying a gun. He said he did so out of fear of Wells. Police said the gun was the same type as that which killed Wells.

Black Dispatch
P.1
Okla City
Okla.
Date
12-12-53

B'ham Negro Killings Branded As 'Outrageous' By SNIAA

The mounting Birmingham area Negro-killed-by-Negro violence rate, has been branded as "outrageous" by the Southern Negro Improvement Association of Alabama headed by Samuel H. Moore.

A check of records indicate that the number of homicides within the Negro group has climbed to 50 during 1953.

The association said that these violent deaths were "ashame upon a community where law and order is supposed to prevail."

The SNIAA suggested that light verdicts by juries when Negro citizens are killed by Negro citizens is a contributing factor to the abnormal violence rate in Birmingham.

Moore said that the SNIAA will have representative to attend murder trials to "create the impression that more severe sentences will aid this organization and its program.'

"There is no place in our race for people of this type and we are planning to get rid of them if we have to furnish special prosecutors to work with the solicitor," he declared.

The statement commended Circuit Solicitor Emmett Perry and his staff for "the efficient manner in which they prosecute these cases." It added: "The juries have not gone all the way with them in their efforts to rid society of these culprits."

[illegible]
[illegible]
P.1
Birmingham
Ala.
Date 12-4-53

Negro Is Released Following Shooting

Advertiser

P. 5A

Montgomery Ala

Tues. 1-6-53

13c Ala

GADSDEN, Ala., Jan. 5 (AP)—Coroner W. W. (Red) Morris today ruled that the fatal shooting of a 28 year-old farmer by an elderly Negro was justifiable homicide.

The coroner said Johnny Dobbins, Boaz Rt. 6, was shot in the chest by Will Veasey, 70 year-old Negro, at the Negro's home in East Gadsden Sunday night. Dobbins died in a hospital shortly after being admitted.

Veasey, who had been held for investigation, was released after the coroner's verdict.

Asst. Police Chief G. H. Diggs said an investigation showed Dobbins had been drinking heavily and went to the aged Negro's home where he created a disturbance.

The officer added that Veasey turned on a light in the darkened house and Dobbins drew a knife on him. The Negro fired with a 12 gauge shotgun, Diggs said.

Negro Freed In Slaying

Miami, Fla. Herald.

Ala 1-9-53

P. 7B

13c Ala

GADSDEN, Ala.—(AP)—The fatal shooting of a White farmer by an elderly Negro has been ruled justifiable homicide.

Coroner W. W. (Red) Morris handed down the verdict in the shooting of Johnny Dobbins, Boaz, by Will Veasey, 70-year-old Negro, Sunday night at the Negro's home in East Gadsden.

Veasey was released after being held for questioning pending the coroner's ruling.

Asst. Police Chief G. H. Diggs said an investigation showed that Dobbins, who had been drinking heavily, came to Veasey's home and created a disturbance. The officer said the Negro fired at Dobbins with a 12 gauge shotgun when the farmer drew a knife.

Elderly Negro freed of blame for shooting white man at Gadsden

News

Birmingham

Ala

Tues. 1-6-53

13c Ala

GADSDEN, Ala., Jan. 6—(AP)—The fatal shooting of a white farmer by an elderly Negro had been ruled justifiable homicide today.

Coroner W. W. Morris handed down the verdict yesterday in the shooting of Johnny Dobbins of Boaz by Will Veasey, 70, Sunday night at the Negro's home in East Gadsden.

Veasey was released late yesterday. He had been held for questioning pending the coroner's ruling.

Asst. Police Chief G. H. Diggs said an investigation showed that Dobbins, who had been drinking heavily, came to Veasey's home and created a disturbance. The officer said the Negro fired at Dobbins with a 12-gauge shotgun when the farmer drew a knife.

Dobbins died in a Gadsden hospital from a chest wound shortly after being admitted.

Negro Indicted In Slaying Of Housewife

Advertiser

P. 3C

Montgomery

Ala

13c

Thurs.

1-29-53

MOBILE, Ala., Jan. 28 (AP)—A county grand jury today indicted an 18-year-old Negro on a charge of murder in connection with the slaying of a young housewife at Satsuma Dec. 17.

Henry Lee Brown was indicted on spearate counts of murdering Mrs. Jesse P. Trueblood, 22, by shooting her and by beating her to death with a blunt instrument.

Mrs. Trueblood's body was found in a field behind her home after a neighbor said she had gone to chase hunters away from her property. Sheriff William H. Holcombe said she had been shot in the head and badly beaten on the face.

Holcombe announced Dec. 20 Brown had admitted the slaying. He disclosed no motive for the shooting.

Brown's arrest followed an intensive investigation by sheriff's deputies in the Satsuma area. Returned to the scene of the shooting several days later, Brown escaped from officers. He was recaptured by a Negro dog tender from Atmore state prison farm.

Mrs. Trublood is survived by her husband, a Brookley Air Force Base employe and a three-year-old son.

Negro jailed in shooting may face robbery count

13c Ala

News

Sat. 2-14-53

Birmingham

Ala

P. 9

James Lee Washington, accused of shooting a Birmingham policeman with the officer's own gun, may be charged with robbery in the case instead of, or maybe in addition to, assault with intent to murder.

Officers who returned the 27-year-old man here Friday from Jacksonville, Fla., said they planned to confer with county authorities on the proposed change.

The detectives contend that the assailant who shot and seriously wounded Officer E. S. Buckner last Sept. 7 first robbed the policeman of his pistol.

* * *

A ROBBERY CONVICTION carries a death sentence as maximum penalty. Assault with intent to murder calls for a penitentiary term of two to 20 years.

Washington was indicted by the Jefferson County Grand Jury last Sept. 9 on charges of assault with intent to murder and he was extradited from Florida under those charges.

Officers R. A. MacMurdo and M. H. Cole brought Washington here after his arrest in Jacksonville on a car pilfering charge.

He told officers here that he had been arrested there twice previously and later freed. His identity was learned after Duval County authorities had forwarded his fingerprints to FBI laboratories in Washington.

* * *

BIRMINGHAM OFFICIALS said they had sent Jacksonville police a "wanted" report on Washington. Buckner was shot as he and his partner inspected a suitcase they uncovered while searching an Ensley house. His assistant grabbed the pistol from his holster, shot him and fled, carrying the pistol.

It later turned up in Montgomery where a Kilby Prison guard said he had taken it from a man he found riding on a freight train. The man was released shortly and given a ride into Montgomery by two highway patrolmen.

Negro Receives 10-Year Term For Assault On City Detective

13c Ala

Advertiser

P. 1

Fri. 2-27-53

Montgomery

Ala.

James Edward Pickett, Negro convict and parolee, was sentenced to ten years in a federal penitentiary here yesterday for assaulting City Detective Lewis King with intent to murder on Dec. 11, 1952.

Pickett was convicted for the attempted murder of Detective King after a Montgomery County jury deliberated 45 minutes, circuit court here.

Prosecution testimony showed that the Negro parolee from Ohio State Prison was posted as a look-out for another Negro convict, Julius Jones, when they burglarized the Star Loan Company, 24 1-2 N. Perry St., on the night of Dec. 11, last year.

Jones will be tried Wednesday on the same charges placed against Pickett—burglary and assault with intent to murder.

Circuit Judge Eugene Carter, presiding judge, said yesterday he intended to nol pross the burglary charge against Pickett.

When placed on the stand, Jones denied knowing Pickett.

He said he and Pickett had talked together while in prison, after the burglary and shooting.

Andrew Brown, Negro, who testified in Pickett's behalf said he had seen Pickett at the Blue Bell Cafe with an unidentified Negro woman at the time that the shooting took place.

Under cross examination, Brown said he had not had a chance to talk to Pickett about the case since the night King was shot.

Brown was sentenced to five days in jail for perjury by Judge Carter in view of the fact that Montgomery County Jail records showed Pickett and Brown had occupied the same cell for five days following the shooting.

He was forced to sign a statement, Pickett said, and told the court City Detective J. D. Townes and W. T. Sheriff beat and kicked him.

Townes beat his (Pickett's) head against the wall, the Negro testified, and kicked his left knee cap which had just undergone surgery.

The statement he signed on the night of the shooting was dictated by James Lanham, Advertiser police reporter, Pickett claimed.

Lanham testified he did not dictate the statement and the defendant was not forced to sign it.

When asked if he had seen Pickett prior to the signing of the statement, Lanham said he had seen Robert Seevers, patrolman for Montgomery City Police, chasing him on North Perry Street between Monroe Street and Dexter Avenue. Lanham said he himself was on his way to the city hall to get a news story.

Other witnesses who took the stand and denied that force was used in taking the statement were W. H. Sankey, owner of the Star Loan Company, W. T. Sheriff, city detective who took Pickett's statement, and Townes, Seevers, Detective and Lt. E. O. Ryals.

Negro Warned, Aunt Testifies As Murder Trial Is Opened.

Advertiser

P-1

Montgomery

Ala.

Wed. 3-25-53

MOBILE, Ala., March 24 (AP)—Mrs. Jesse Trueblood's aunt today testified Henry Lee Brown had been warned not to hunt on her neice's property the day before the young Satsuma mother was murdered.

Brown, 18-year-old Negro, is pleading innocent to an indictment charging him with murder in the shotgun slaying of Mrs. Trueblood Dec. 17.

Ten witnesses testified for the state in the opening day of the trial today before Judge David H. Edington recessed court until 9:30 tomorrow.

Mrs. Trueblood's aunt, Mrs. Ethel Martin, another resident of the Satsuma community, took the stand to relate that Brown told her in Dec. 16 that Mrs. Trueblood had warned him against hunting on her property.

Brown is represented by John McGee, Montgomery attorney, and Jack Sprinkle, Mobile attorney. State Solicitor Carl M. Booth is prosecuting.

E. Gadsden man held in farmer's slayi

13C

GADSDEN, Ala., Jan. 5—A 70-year-old Negro is being held here in connection with the fatal Sunday night [illegible] of a white man at the Negro's home.

Coroner W. W. (Red) Morris said Will Veasy, 70, of East Gadsden is being held in connection with the slaying of Johnnie Dobbins, 28, of Boaz Rt.

1-5-53

Two other white men are being held as material witnesses, according to the coroner.

Police said Dobbins, a farmer, was shot once in the chest with a 12-gauge shotgun about 9:10 p.m. They said he died shortly afterward in a local hospital.

Morris said an investigation is under way.

13-year-old girl beaten to death

P. 1

BRIDGEPORT, Ala., Aug. 22—Earl Young, 22, Negro, was being held in Scottsboro jail Saturday on a murder charge in connection with the death here of Mary Lois Allison, 13, and the attempted murder of her sister, Bernice, 11, Negro girls.

8-23-53

Deputy Sheriff Emerson Clator said Young admitted beating the girls with a piece of iron and leaving them for dead on the Jim Thomas farm near the Tennessee River.

Mary Lois' body was found after Bernice, badly injured, staggered home about 6 a.m. Saturday, Clator said. The dead girl's clothing had been torn from her body, the deputy added.

Young lived at the home of the two girls, who are daughters of Bub Allison.

Bernice, who is under treatment at Tri-Cities Hospital here, identified Young at the hospital, and Young admitted beating the two girls, Clator said.

Clator said Young told him he threw into the river the piece of iron with which he beat the girls.

In lonely rural area—

Young woman slays man attempting to enter home

ASHLAND, Ala., April 27—A 20-year-old Clay County girl shot a 45-year-old Negro to death near here last night, ~~after, she said,~~ he had smashed open the door of a house in which she lived alone.

P. 1 3C

Miss Pearl Mitchell, employe of Horn's Dairy near here, said Walter Welch, the dead man, had first tried to gain entry by telling her he was a white man, ~~whose name he~~ used ~~when he~~ knocked at her door.

County Solicitor W. C. Dempsey, and Clay Sheriff D. C. Little termed the shooting justifiable homicide, and made no charge in the case.

4-27-53

ACCORDING to Miss Mitchell's statement, the Negro knocked at her door shortly before 9 p.m. When she asked who was at the door, she said, he gave the name of a white man in the community.

She said she asked him to leave, and that he then smashed open the door.

Sol. Dempsey quoted the girl as saying she fired at the man with a .38 calibre pistol before he actually entered the two-room house. A trail of blood led from the porch to the body, about 100 yards from the house, the solicitor added.

The girl was quoted as saying she fired several more shots at the Negro as he ran form her front porch, but the solicitor said only one bullet took effect, in the chest.

The house in which the young woman lives alone is in a sparsely-settled area of Clay County, about four miles northwest of Lineville. No other houses are within sight of calling distance, according to the solicitor.

Welch lived about two miles from the scene of the shooting, and was the father of seven children, according to the solicitor's office.

Fear Foul Play In Death Of Woman

P. 1

ALBERTA, Ala.— Relatives here hinted that Mrs. Della McDuffie, 63 year old farm hand, was mysteriously killed at her home around 12:30 Saturday night, April 25.

Fear silenced relatives hinted that the woman had been allegedly shot by some white men who wanted "to have some fun off her.' Details were not available and the report had not been confirmed.

In Birmingham, some NAACP officials who declined to be identified said that they had a report that law enforcement officers had fatally shot a woman in Wilcox County but this could not be confirmed.

5-5-53

(There are 18,566 Negroes citizens living in Wilcox County in contrast to only 4,910 white residents. A recent 1953 survey indicates that there are 8,218 Negro citizens 21 years of age or above in Wilcox County but that there is not a single Negro voter in this county. No Negro, it is said, has been permitted to register and vote in Wilcox County since the adoption of the 1901 Alabama constitution.)

Fear Foul Play In Death Of Woman

13C

ALBERTA, Ala.— Relatives here hinted that Mrs. Della McDuffie, 63 year old farm hand, was mysteriously killed at her home around 12:30 Saturday night, April 25.

Fear silenced relatives hinted that the woman had been allegedly shot by some white men who wanted "to have some fun off her. Details were not available and the report had not been confirmed.

In Birmingham, some NAACP officials who declined to be identified said that they had a report that law enforcement officers had fatally shot a woman in Wilcox County but this could not be confirmed.

(There are 18,566 Negroes citizens living in Wilcox County in contrast to only 4,910 white residents. A recent 1953 survey indicates that there are 8,218 Negro citizens 21 years of age or above in Wilcox County but that there is not a single Negro voter in this county No Negro, it is said, has been permitted to register and vote in Wilcox County since the adoption of the 1901 Alabama constitution.)

5-5-53

Killing Of Man, 45, Held Justifiable

13 P. 5

ASHLAND, ALA.— A 45 year old father of seven children who allegedly tried to smash into a door was fatally shot by a 20 year old white woman who lived alone, police said.

Killed was Walter Welch who lived about two miles from where the shooting took place. Authorities ruled the shooting justifiable.

Miss Pearl Mitchell said that the victim allegedly knocked on her door around 9:00 p. m. giving the name of a white man in the community. Asked to leave, she said he smashed open the door. She shot him, authorities quoted her as saying.

5-5-53

Hint Woman Was Slain by White Men

ALBERTA, Ala.—Mrs. Della McDuffie, 63-year-old farm hand, was mysteriously killed at her home around 12:30 Saturday night, April 25.

Fear-silenced relatives hinted that the woman may have been shot by some white men who wanted "to have some fun off her." Details were not available and the report had not been confirmed.

P. 10 13C

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NegroEn Route Here To Face Murder Charge

Two County Deputies Accompany Hanson Back To Montgomery

P. 1

Charlie Hanson is on his way back to Montgomery to stand trial for murder.

The Negro, arrested in Anchorage, Alaska by FBI agents on Aug. 3, landed in Seattle yesterday by steamship, and accompanied by two Montgomery County sheriff's deputies, he immediately boarded a train for Montgomery.

Sheriff George A. Mosley Sr., stated yesterday that he had received a telegram from Deputies O. S. Shivers and J. O. Mathis informing him of their arrival in Seattle. The sheriff added that the two officers and Hanson are expected to reach Montgomery Tuesday or Wednesday.

Extradition Success

9-6-53

The extradition papers necessary to return Hanson to Montgomery were completed last Wednesday, only hours before he would have been released by government authorities.

The warrant on which the Negro was arrested would have held him in custody for only 30 days.

Hanson is wanted by Montgomery County authorities to stand trial for the murder of E. C. Connell, who was shot to death on Nov. 8, 1946, while working on a housing project on Fairview Ave.

Hanson was indentified as the man who shot and killed Connell and seriously wounded Vernon E. Hood, but the elusive Negro had managed to stay ahead of the clutching hands of the law until early last month.

A short time after the shooting a Montgomery County Grand Jury indicted Hanson on a first degree murder charge.

It was brought out in the Grand Jury hearing that Hanson had worked for Connell and Hood on the housing project but was fired. Several days after he was dismissed, Hanson came back to the scene and shot the two men.

Witness Identifies Hanson

A witness who was standing less than 10 feet from the scene of the crime positively identified Hanson as the murderer.

When local authorities were notified last month of Hanson's apprehension, they immediately made plans for his extradition. This process was delayed considerably as no one had ever been extradited from Alaska before and authorities in Anchorage were not familiar with the necessary legal steps.

Finally, in a desperate move against the 30-day deadline, Deputy Shivers was flown to Anchorage last Sunday. He completed all the extradition details and Wednesday was joined by Deputy Mathis.

13C

Commenting on the extradition, Sheriff Mosley said yesterday that he believed his officers must have set some sort of state record in bringing Hanson back here.

The two officers travelled a round-trip total of nearly 10,000 miles by land, sea and air in bringing the wanted man back to Montgomery.

Negro Receives Death Penalty

13c-6

MOBILE, Ala., Feb. 26 (AP)—A 29-year-old Mobile Negro butcher drew the death penalty late today for beating a service station manager to death 16 months ago.

A Mobile circuit court jury convicted James White of a first degree murder charge and fixed his punishment at death in the electric chair.

Advertiser

The verdict, ending a three-day trial, came after the jury had deliberated about two hours.

White and another Negro, Hurtle Champion, were charged with murdering Robert Cockrell at the service station Nov. 3, 1951.

P. 8

Champion was convicted last November and sentenced to life imprisonment. His conviction is now being reviewed by the Alabama Supreme Court.

Montgomery Ala.

Circuit Judge David H. Edington set April 6 as the execution date for White, but immediately granted a stay pending an automatic review of his case by the State Supreme Court.

State Solicitor Carl Booth told the jury White and Champion beat Cockrell to death during robbery of the station.

2-27-53

Appealing for acquittal, defense attorneys contended an alleged confession White gave police last May was obtained by force.

Teenager Absolved in White Woman's Slaying

White Ala. Jury Frees Youth in Murder Case

MOBILE, Ala.—There was wild applause last Thursday, March 25, when an all-white Mobile County Circuit Court jury freed Henry Lee Brown, 18, Satsuma, Ala., charged with the slaying of a young white housewife, Mrs. Jessie Trueblood, also of Satsuma.

Charges were brought against the youth last Dec. 17 and prior to his release on Thursday the youth had been in jail since that time.

Courier

Satsuma is a small town about twelve miles north of Mobile.

The "not guilty" verdict came at 8:04 P. M. after four hours and two minutes of deliberation by the jurors.

P. 1

* * *

IT IS rare in cases of this sort, or even less serious incidents, that justice triumphs in the South on the side of a Negro. The verdict was met with a tremendous burst of approval by both whites and Negroes.

Sat 4-4-53

The acquittal climaxed a three-day trial, during which the two defense attorneys, John N. McGee of Montgomery and Jack Sprinkle of Mobile, both white, foiled at every turn efforts of State Solicitor Carl M. Booth to send Brown to the electric chair.

The nightmare began for Henry Lee last December as he sat tinkering on the piano at his home, where he was arrested.

* * *

MRS. TRUEBLOOD'S body had been found about 200 yards behind her home, less than an hour after she disappeared into a wooded area on Dec. 17.

The body was found at the edge of a swamp but the killer left no clues.

Courier

Bloods hounds brought from the Atmore Prison Farm followed a trail to a barn on the farm of the murdered woman's father and then back to the body.

Henry Lee was picked up about two hours later because he had hunted on the Trueblood property the day before and Mrs. Trueblood had ordered him off the place.

Sat. 4-4-53

Round-the-clock questioning for three days, coupled with "third-degree methods" which the sheriff's deputies imposed, enabled the officers to obtain a "confession" from him that he killed Mrs. Trueblood, Henry said.

* * *

THE REASON for the slaying, as stated in the "confession," was that he was "mad" with the woman for running him off her property.

The Brown youth was rushed to Kilby Prison at Montgomery for "safekeeping," where he was held a number of days incommunicado.

The youth, taking the stand on Wednesday and Thursday, denied that he killed Mrs. Trueblood. He told the court, "I did not kill that white lady."

He said that he had been hunting on Dec. 17 but did not go near the Trueblood place.

The defense also produced a surprise witness, Eddie Washington, who testified that he saw the youth hunting more than three miles north of the murder scene at 12 noon, Dec. 17.

This testimony threw a monkey wrench in the state's efforts to pin the crime on Brown.

One state witness, Oscar White, told the court that deputies from the sheriff's office visited his home on a second occasion and tried to get him to chcange his statement as to the time he saw the youth on the afternoon of the slaying.

Two strands of hair discovered clutched in the dead woman's hand at the time the body was found were identified by both Tom Henderson and Assistant State Toxicologist Nelson Grubbs as that of a white person.

Grubbs, however, said that he thought it was Mrs. Trueblood's hair, but admitted on cross-examination by Attorney McGee that he had no scientific way of determining.

Young Brown told the Courier, "The Lord is good and everybody has been wonderful to me. I know they all prayed for me because everything came out all right. Mr. John LeFlore (NAACP evecutive secretary) and his family have been wonderful."

The NAACP hailed the jury's decision as "a step in the direction of having Negroes believe in the integrity and fairness of the courts, long lost by years of perverted justice."

* * *

THE REV. Mr. Robinson, pastor of Franklin Street Baptist Church, said, "This verdict indicates there are fair-minded white people in the South and points the way toward better understanding."

Dr. E. Goode, practicing physician in Mobile for twenty-five years, said, "This verdict is the result of the NAACP's offorts and the decent people of Mobile who wanted justice done."

Five white character witnesses appeared in Brown's behalf because they felt he was innocent.

Negro To Face Murder Charge

Advertiser

Man Wanted In Killing Of White Man Arrested

P. 1

A Montgomery Negro who eluded law officers for seven years who were searching for him with the murder of a white man here in 1946 was arrested in Anchorage, Alaska Monday by FBI agents, according to H. O. Hawkins, special agent in charge, Mobile Division, FBI.

Montgomery Ala.

Charlie Hanson, the Negro, is charged with the murder of E. C. Connell here on Nov. 8, 1946.

Wed 4-5-53

Connell was working as labor foreman of a construction project north of Fairview Avenue between Oak and Holt Streets when he was killed by a shotgun charge in the head.

The Negro had been fired a few days previous to the fatal shooting, and officers then believed he returned to the construction job on Nov. 8, with a shotgun for vengeance.

Another white man, Vernon E. Hood, general foreman of the project, was critically wounded by a blast from the shotgun which instantly killed Connell. He was shot first, but recovered.

A $200 reward was posted for apprehension of the wanted Negro on Nov. 10, 1946, by Gov. Chauncey Sparks, then governor of Alabama.

The Federal Bureau of Investigation filed a complaint, charging Hanson with unlawful flight to avoid prosecution, and issued a warrant for his arrest, in May of this year.

Death sentences for five upheld

MONTGOMERY, Ala., Aug. 7—The Alabama Supreme Court yesterday upheld death sentences imposed by lower courts on four persons.

News

Death sentences affirmed either on re-hearing or first rulings:

Mattie Smart, 27-year-old Negro woman convicted in Green County of murdering 5-year-old Ivory Posey Sept. 22, 1952.

Aug 7 '53

Will Hardie, 53, a Negro farmer convicted in Tuscaloosa County of killing a police officer John Foster King.

Jeremiah Reeves Jr., 17-year-old Negro convicted on raping a white woman in Montgomery last December.

Birmingham, Ala.

Reuben Mayhand, 23, a Negro convicted of raping a teen-age white girl near her farm home at Malvern last Summer.

P. 2

The court refused a rehearing in the case of James Edward Mason whose death sentence had previously been overruled.

The date of execution for Hardie, Reeves, and Mattie Smarr was fixed for Sept. 12. Mayhand's death date is Aug. 28.

Woman and two men lose appeals, must die in state chair

Negro

P. C.

MONTGOMERY, Ala., Nov. 28—(AP)—The Alabama Supreme Court denied rehearings in three death cases Friday including that of a 27-year-old Negro woman whose "psychotic" desire for motherhood led her to kidnap a relative's 3-month-old baby.

In overruling rehearing petitions, the tribunal set Jan. 22 as the date of execution for Mattie Smarr, the Negro woman; Will Hardie, 53, a Negro farmer, and Jeremaih Reeves Jr., 17-year-old Montgomery Negro.

Mattie Smarr, 27, was convicted of killing 5-year-old Ivory Posey at his home near Eutaw, Ala., in September, 1952.

She was also indicted but never tried on charges of killing two other Posey children Ollie, 8, and Mattie Jean, 2; with beating their 11-year-old sister, Lassie, almost to death and kidnapping tiny Cullan Mae Posey.

Hardie was convicted in Tuscaloosa County of killing a police officer, John Foster King. Young Reeves drew the death sentence when convicted of raping a white woman in Montgomery last December.

Birmingham
Ala
11-28-53

Judge Sentences 2 Negroes To Die For Murders Here

Two Negroes, convicted by a jury of first degree murders, were sentenced to death in the electric chair yesterday by Circuit Judge Eugene Carter.

Jimmy Crawford, found guilty of shooting another Negro told Judge Carter when asked if he had anything to say before being sentenced:

"I don't think I got fair justice." He broke into tears when the sentence was passed.

Charlie Hanson, Negro, convicted of slaying E. C. Connell, a white man, here in 1946, was the other prisoner sentenced to death.

Both sentences carry an automatic appeal to the Supreme Court under Alabama law. Date of electrocution has been set as Jan. 8, 1954.

Other sentences included those of three Negroes charged with robbery. They were Wallace Jordan, 10 years; Arthur Lowe, 12 years, and Jerry Sankey, 25 years.

Ernest Watkins, Negro, who pleaded guilty to first degree manslaughter, was sentenced to three years.

One white man was included in the group being sentenced. He was Ernest Tillery, sentenced to two years suspended sentence and placed on two-year probation on a plea of guilty to a grand larceny charge.

Ellen Nixon, Negro woman, drew a two-year prison term for assault to murder. She had entered a plea of guilty.

Advertiser
P. 10 D
Montgomery, Ala.
11-26-53

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2 Men, 1 Woman To Die In Kilby Chair On Jan. 22

Pleas For Rehearings Are Turned Down, Woman To Be State's 3rd Female Victim

MONTGOMERY, Nov. 27 (U.P.)—The Alabama Supreme Court today turned down please for rehearings from three persons awaiting execution in the Kilby Prison electric chair. The court set the date of execution for all three for Jan. 22, 1954.

Mattie Smarr, a Greene County Negro, was convicted of murdering a Negro child in 1952. She was also charged with killing four other children of the same family. Her attorney's attempted to show during her first trial that the murders were the outgrowth of a frustrated maternal complex. Her original date of execution was Sept. 22.

Third Woman To Die

Mattie Smarr will be the third woman to die in the Kilby Prison electric chair. Earlier this year, Mrs. Earle Dennison became the first white woman to be executed in Alabama. A Negro woman was electrocuted at Kilby about 20 years ago.

Jeremiah Reeves, the 21-year-old Montgomery Negro who was charged with criminally assaulting several white women and attacking others will be executed at the same time.

The third prisoner who faces execution on Jan. 22, is Will Hardie, Tuscaloosa Negro, convicted of shooting to death a Tuscaloosa policeman.

Only executive clemency by Gov. Gordon Persons could possibly stand in the way of carrying out the three death sentences.

Decisions Listed

The Supreme Court also announced the following decisions today:

Clyde H. Strickland et al. v. Paul Malone et al. appeal from Tuscaloosa Circuit Court, in equity. Application overruled.

Ex parte J. Esdale, alias (in re: J. Esdale vs, State of Alabama), petition for certioraari to court of appeals. Application overruled.

Ex parte Baggett Transportation Co. (in re: Baggett Transportation Co. vs. R. E. Holderfield). Appeal from Etowah Circuit Court. Application overruled.

Eula Edith Green Armstrong vs. Comer F. Green et al. Appeal from Bullock Circuit Court, in equity. Rehearing granted; original opinion extended; decree of the lower court affirmed in part and in part reversed and remanded.

Ex parte Charlotte Fern Dunlap (in re: Charlotte Fern Dunlap, Hon. J. S. Stone, as judge, etc.). Petition for mandamus to Hon. J. S. Stone, as judge of Circuit Court of Marshall County, in equity. Opinion extended, application for rehearing overruled.

Ex parte H. H. Hamilton. Petition for review. Application overruled.

Post Herald
P 22
Birmingham
Ala.
11-28-53

Slayings Among Negroes Reach Thirty Within Seven Months

BY MARCEL HOPSON

BIRMINGHAM, Ala. — (SNS) — Total slayings among Negro citizens in Birmingham reached thirty (30) within seven months when two men were slain last week-end, the first victim felled around eleven o'clock, Friday night, and the second around four o'clock early Saturday morning.

FIRST ONE RULED AS "JUSTIFIABLE HOMICIDE"

The death of Lacey Ardis, 33 of 1617-A South Seventh-al, who was fatally shot with a .38 calibre, long Spanish-make pistol, Friday night, reportedly in the front room of the house where he boarded, was ruled as "justifiable homicide" by Coroner Joe L. Hilderbrand.

The defendant, Forest Mostella, 31 of 1623 South Fourth Avenue, who allegedly shot and killed Ardis in "self-defense," was acquitted of a murder charge and released from jail, Monday, on orders by Coroner Hilderbrand.

Mr. Hilderbrand disclosed in his investigation that on that night, Ardis reportedly rushed into the house raising a disturbance, allegedly under the influence of alcohol, and upsetting the landlady of the house, who was reportedly in grief over the recent death of her father.

Mostella is said to have attempted peacefully, to restrain Ardis. Suddenly, Mr. Hilderbrand said, the slain man allegedly pulled a knife and advanced on Mostella and was shot.

Ardis reportedly died instantly. A Stallworth-Johnson ambulance removed the body from the scene, police said.

KILLED IN DRUNKEN BRAWL

Andrew James, 23 of 2612 South Fourth Avenue, victim in the second week-end slaying, was fatally stabbed one time, early Saturday morning, somewhere in the Loveman's Village community on Southside, police said.

Police arrested William McCall, 25 of 3023 North Tenth Avenue, Monday afternoon, and jailed him on a murder charge in connection with James' death. The slaying was the result of a "drunken brawl." investigating officers said.

FIRST SUSPECT RELEASED, CLEARED

Shortly after James' death, police took Henry Lee (Honey Lee) Thomas, 22 of 2218 North Tenth-al, into custody for questioning in connection with the slaying.

However, Thomas was released from jail, Monday, on orders of Coroner Hilderbrand and cleared of any connection with the stabbing.

Meantime, McCall was in jail awaiting transfer to County Jail, later this week.

PLANK IN B-FLAT

Mrs. Mary Turner, 47 of 315 North Seventh Avenue, declined to press assault-with-a-plank charge against her husband, Opal Turner and he was not arrested, police said.

Mrs. Turner, however, said that her husband allegedly whipped her with a plank of wood, while they were fighting at their home, Sunday night.

WHOA! LAY THAT PISTOL DOWN

Tommy Williams, 41 of 1705 South Sixth-al, was shot with a .32 calibre pistol allegedly by his wife, Mrs. Elizabeth (Eliza) Williams, while they were reportedly fighting on 17th Street, between South Sixth and Seventh Avenues, around five o'clock Saturday night, police said.

Williams was quoted as saying that he and his wife got into an argument; that she had a pistol, and while they were locked up, in an "unfriendly embrace," rolling on the ground, the gun went off shooting him.

Williams refused to press charges and Mrs. Williams was not arrested, police said. The victim was treated at Hillman Hospital for a minor wound and dismissed.

Witnesses gave officers their names as Henry Skelton, of 1616 South Seventh Avenue, and Joe Smith, white, of 1771 South 13th Avenue.

"STRUGGLE OF THE YEAR"

John Thomas, 48 of 503 Lansing Street, city, was whammed in the face with a bottle allegedly by Mrs. Mattie Jordan, 40 of 400 15th Street, while they were reportedly fighting, Saturday afternoon, at North Fourth Avenue and 15th Street.

Thomas said that he and Mrs. Jordan "had been living together" for about two years before he packed up his clothes and left the premises on Thursday, July 23. He stated further that they engaged in an argument, Saturday evening, and she allegedly struck him in the face with the bottle while they were struggling.

He was taken to Lloyd Noland Hospital in Fairfield, for an X-Ray examination after being treated for a cut on the left side of his face.

Mrs. Jordan was not arrested on request of Thomas, officers said.

Mrs. Mary Alice Meadows and Mrs. Mary Tarrant, both of 1506 Scranton Avenue, were listed as witnesses to the "wrestling match."

NEVER STICK YOUR HEAD OUT

Miss Willie Mae Varner, 23 of 714 South 26th Street, walked to Hillman Hospital, was treated for a cut wound and dismissed, around eight o'clock, Saturday night, police said.

Miss Varner told police that, around 7:45 that night, when she stuck her head out of the door of her home, her former suitor, Albert Roberson, of 726 South 26th Street, allegedly cut her.

She said that she formerly dated Roberson but was not "going with him" at this time. Several weeks ago, she said, he allegedly threw some bricks at her through the window of her home. And on this night as she stuck her head out "to call the children in," he allegedly cut her.

"INTERNAL WAR"

Mrs. Nona Porter, 32 of 716 South 25th Street, was stabbed allegedly by her husband, Oscar Porter, 35 while they were engaged in "internal warfare" in their home, around eight o'clock, Sunday night, officers were told.

Mrs. Porter was treated at Hillman Hospital and dismissed. She was advised to swear out a warrant officers said.

"ALL IS FORGIVEN"

Mrs. Hollie Lee Abram, 30 of 1429 North Sixth Street, refused to press charges against her husband, Will Abram, for allegedly stabbing her in the head with a switch-blade knife, around nine o'clock Saturday night, while they were engaged in "warfare" at North Fifth Street.

Police said no arrest was made pending further investigation of the case.

"JUST STANDING ON THE CORNER"

James Goodson, 27 of 1128 South Sixth-al, stated that he was just standing on the corner at Sixth Avenue and 32nd Street, around 9:55 Sunday night, talking to another person, when an unidentified "swordsman" walked up, stabbed him and ran away.

The victim, husband of Mrs. Mary Goodson, was unable to give concrete description of the unknown culprit, officers said.

"THAT OLD BOYFRIEND TROUBLE, AGAIN"

Miss Kathryn Broadnax, 24 of 837 North 15th Street, informed police that she and her boy friend, John Wesley Harris, of Smithfield, were "having some words" when he allegedly cut her with a pocket knife, Saturday evening, while they were reportedly at a place known as "Carrie's Grill," at North Fourth Avenue and 17th Street.

Miss Broadnax was taken by taxi to Hillman Hospital, treated and dismissed.

Mrs. Beatrice Scott, of 837 North 15th Street, was listed as a relative of the victim.

"FOR NO REASON AT ALL"

Ocie Lee Brazzle, 30 of 605-B, West First Street, was stabbed with a knife by a person, whom he refused to identify to police, around seven o'clock Saturday night, at Short North Center Place in Smithfield, officers said.

Brazzle declined to tell who cut him, police said, and no arrest was made. He said he was at Short North Center Place when the unknown "swordsman" tested his blade on me for no known reason."

World
p. 1
7-31-53

Wells Case

Take Warren To Alaska For Trial

Courier
p. 5
Pittsburgh, Pa.

SAN FRANCISCO (INS)— A Deputy U. S. Marshal arrived here Saturday to return John Warren, jazz drummer, to Fairbanks, Alaska, to face charges of murdering Cecil Wells, wealthy Alaska businessman.

Deputy Marshal Francis X. Worth arrived by air as the U. S. Marshal's office, here, announced that papers ordering Warren's extradition are en route to California to Gov. Goodwin J. Knight for his signature.

Warren and Wells' beautiful 31-year-old widow, Mrs. Diane Wells, are under indictment for the murder. Mrs. Wells is in Fairbanks awaiting trial for the Nov. 17 slaying.

Both have denied any part in the fatal shooting of the one-time president of the All-Alaska Chamber of Commerce. Mrs. Wells has further denied Warren's statements of intimate relations with her.

31 Slayings Among Negro Residents Within 8 Months

By MARCEL HOPSON

The month of August got its first and Birmingham its thirty-first (31) slaying among Negro residents within eight months, Monday evening, when Mrs. Willie Lee George, 47 of 226 North Fourth Avenue, reported died of a gun shot wound at Hillman Hospital's emergency ward, around 4:10 o'clock, police said.

Murdered

"FIGHTING OVER ANOTHER WOMAN"

P. 1

Investigating homicide detectives arrested a man identified as Ed. Robinson, 48, of 330 North Seventh Street, and charged him with allegedly shooting Mrs George, around 3:10 o'clock Monday, while they were reportedly fighting in her home "over another woman."

Police said the victim was shot in the right side of her face near her nose. Robinson, the defendant, is presently lodged in City Jail, on orders of Coroner Joe L. Hilderbrand, pending transfer to County Jail for a preliminary hearing on a suspected murder charge.

8-7-53

"WHO SAID THE CIVIL WAR WAS OVER?"

Mrs. Charlotte Brown, 55 of 1616 1-2 Coosa Street, told police that her son-in-law, General Lee Grant, 45 of Center Point, Ala., allegedly whammed her over the head with a bottle, during a dispute between them in her home, around 7 Saturday night.

Police said Mrs Brown declined to press charges of assault against Grant but they took him, however, on a suspected drunken charge.

"MIGHTY LIKE A ROSE"

Willie McSwain, 33, of 246 North 27th Street, was stabbed twice with an ice pick allegedly by his stepdaughter, Miss Alice Rose (Olive Rose) Pennington, 22, of the same address, around 1:30 early Saturday morning.

Police learned from McSwain that he was allegedly stabbed by Miss Pennington while he and his wife, Miss Pennington's mother, were reportedly engaged in physical combat in their home.

MOTHER TREATED

During the squabble, police said, McSwain allegedly cut his wife, Mrs. Ada Davis, with a pocketknife.

No arrests were made, police said, since McSwain refused to press charges against Miss Pennington, and Mrs. Davis declined to prosecute him.

Officers learned from the family that McSwain had allegedly been drinking beer and booze prior to the three-way episode.

BATTLE OF THE KNIFE AND PLANK

Mrs. Ella Minnefield, 35, of 2628 South Fifth-al, and Mrs. Viola Watson, 40, of 2626 South Sixth Avenue, both were taken to the Hillman Hospital, first, and then to City Jail, Sunday afternoon, shortly after they staged a spectacular "knife and plank" show in the backyard of Mrs. Watson's home, police said.

Officers were told by a witness that, while both women were tangled up in domestic warfare, Mrs. Watson allegedly stabbed Mrs. Minnefield in the back with a knife, and in return, Mrs. Minnefield allegedly whipped the Watson woman over the head with a thick plank of wood.

When "peace was declared", police said, both women got into the patrol car and went to the hospital for treatment, Mrs. Watson for a big lump on the head, and Mrs. Minnefield, a stab wound in the back. Both were then hauled off to Southside's "cooler" on assault charges, officers related.

Thomas Strickland, of 2620 South Sixth Avenue, was identified as a witness.

"HOW SWEET CAN LOVE BE?"

Miss Geraldine Pugh, 22, of 1819 Alley G, Ensley, reported to police that she and her reported boy friend, Joseph Jones, 23, were engaged in a "lovers' quarrel" at 16tb Street and Avenue C, Ensley, around 4:45 Saturday evening, when he allegedly stabbed her in the shoulder.

Wounded

Miss Pugh was treated at Hillman Hospital and dismissed. Jones was taken into custody by police and placed in jail on suspected charges of assault and battery and carrying a concealed weapon, it was learned.

8-7-53

"IT WASN'T ICE THIS TIME"

Dallas Hitchinson, Jr., 25, of 3822 North Fairmont Way, was stabbed in the chest with an ice pick allegedly by his wife, Mrs. Dorothy Hutchison, around 6:30 Sunday evening, near their home, during a dispute between them, police said.

Hutchinson declined to press charges against his wife, "because I was to blame," police quoted him. He claimed further, officers said, that he had been drinking. He was taken to Hillman Hospital with his condition undetermined at that time.

"FORGOT TO PUT ON BRAKES"

Mrs. Gladys McMillan, 32, of 475 North Third Street, declined to have Mrs. Ethel Cox, 49, of this city, arrested on a probable knife assault, Sunday night, since she believed that she was stabbed accidentally, it was learned.

Mrs. McMillan stated that she accidentally ran into Mrs. Cox, who reportedly was holding a knife in her hand, while both were at 215 North Seventh Street.

"AMATEUR BOXING SHOW"

Mrs. Rosa Royster, 42, of 727 South 15th Street, complained to police that William Royster, 40, of the same address, alleged whipped her with his fists, during a squabble between them in their home, Sunday evening.

Royster was described by the victim as being about seven feet tal and weighing some 200 pounds.

Mrs. Royster was taken to Hillman Hospital, treated and dismissed

"IT WAS LOVE, AGAIN"

Police learned from witnesses that Colston Brown, of 1001 Southwest 26th Street, and Clifford Nunn, of North Third Avenue and 12th Street, were engaged in a battle "for a woman's heart" when Nunn allegedly cut Brown's throat, Sunday evening.

Investigating officers said both men "declared war on each other" at the home of a "girl friend", at North Fifth Avenue and Eleventh Street.

Brown was taken to Hillman Hospital for treatment. It was not known if he was admitted, officers said.

"MY DARLING EMMALENE"

Henry Thomas, 68, of 204 Morris Avenue, informed police that a woman, whom he identified as "Emmalene", allegedly inflicted a deep cut on his left hand, Saturday afternoon, while they were at Second Street and Morris Avenue.

Officers said apparently a tendon was cut in the small finger of the victim. No arrest was made due to insufficient information on the incident, police said.

Thomas was taken to Hillman Hospital, treated and admitted, officers said. A man, identified as Barton Walker, was listed as a witness.

'Peonage' Death Ruled Natural

Post Herald

MOBILE, Oct. 2 (AP)—Pneumonia was listed by a toxicologist today as the cause of death of a Negro who was reported in a federal peonage indictment as having died two days following a beating in Sumter County.

P. 7

The cause of death of Herbert Thompson was listed in an autopsy report made by Assistant State Toxicologist Nelson E. Grubbs last May 13, and filed with the Alabama Department of Toxicology here.

Grubbs said the autopsy was made at the request of State Solicitor Tom Boggs.

A Federal Grand Jury at Birmingham indicted seven persons last month on charges they held Thompson and other Negroes in slavery. The indictment said Thompson was one of the alleged victims who tried to run away and that he died May 8, two days after being whipped.

10-3-53

Grubbs autopsy report said:

"It is my opinion that Herbert Thompson died as a result of pneumonia. The superficial wounds on the front of his legs were inflicted a considerable period of time prior to death.

Killing of boy, 15, by klan kleagle probed

MOBILE, Ala. — The Mobile NAACP, last week, opened an investigation into the killing of 15-year-old Melvin Williams by the alleged head of the Ku Klux Klan in the Mobile region.

Williams was fatally shot on the night of Sept. 26 by E. C. Barnard, white, who said the youth attempted to burglarize a gun repair shop operated by himself at 859 Texas st.

Barnard was not held by police following the killing.

He told officers he heard a prowler in the rear of the shop and called to him to halt, adding that he fired twice with a .45-caliber automatic when the would-be-burglar refused to heed his demand.

Nothing was reported missing from Barnard's shop after the youth was killed.

J. L. LeFlore, mobile NAACP secretary, said in launching a probe of the circumstances leading to the Williams boy's death, that the very fact that Barnard was listed as the kleagle of the Ku Klux Klan in the Mobile area several years ago had caused many persons to doubt there was any justification whatever for the slaying.

LeFlore added, "because the Klan is a hate organization and its members are sworn to an oath which obviously marks them as haters of colored people, we feel it is incumbent upon the NAACP to conduct its own investigation of the killing of the Williams youth by Barnard."

'Mysterious Hate Band Shoots Ala. Citizens

MOBILE, Ala. — Citizens here are alarmed at a number of promiscuous shooting incidents from speeding cars allegedly by whites which have resulted in the wounding of at least three Negroes.

Defender

Among the victims was Mrs. Paralee Stokes, wife of a Baptist minister, who was shot in the forehead and was rushed to City hospital and remained in serious condition for several days.

P. 4

Two men received leg and arm wounds while they were walking along the streets in Mobile and Magazine Point, recently.

The NAACP is checking a report that three other persons have been injured in similar instances. All of the incidents occurred at night. The culprits were described as being whites roaming so-called Negro sectors in speeding automobiles.

10-31-53

Dr. A. T. Adair Slays Ex-Wife

MONTGOMERY, Ala. — Dr. R. T. Adair, wealthy 67-year-old physician who shot his wife to death May 16, waived preliminary hearing last Wednesday and was freed on $10,000 bond pending the hearing.

Since the tragedy, which is said to have been the result of the doctor losing a divorce suit and being ordered out of his spacious $20,000 home at 442 S. Union st., he has made no formal statement concerning the fatal shooting, according to reports.

From other sources it was learned early on the morning of May 16 he parked his car across the street from the home from which he had been ejected. When his wife, Mrs. Mary Pollard Adair drove up in front of the place, he is said to have opened fire from his car wounding her in the right side of the head. She was pronounced dead several hours later at St. Jude's Catholic hospital.

A passerby, Jesse Dawson, an elderly man, was critically wounded in the neck by a stray bullet, but hospital authorities reported late last week that he had been discharged from the hospital and is recovering at his home.

It was also learned that during the Adair divorce proceedings, Mrs. Adair had been living with friends, and the day she was fatally wounded, she was going back to the home awarded to her by the court to supervise cleaning the place prior to moving in again.

Dr. Adair is reputed to be worth nearly a quarter of a million dollars and one of his largest real estate holdings is a downtown office building valued at $75,000.

He has several relatives—neices and nephews in Macon county — a local resident said, and most of his wife's kin live in California and Chicago.

P. 1

Sat.

5-30-53

Physician Accused Of Slaying Wife

Estranged Mate Found In Street Fatally Wounded

Afro-American

Out 6-6-53

MONTGOMERY, Ala. — Well-to-do Dr. R. T. Adair, nationally known 67-year-old physician and surgeon, is awaiting grand jury action in connection with the fatal shooting of his pretty estranged wife. He is now free on $10,000.

The tragedy occurred May 16 as the climax of a long legal battle. Dr. Adair reportedly lost a divorce suit and was evicted from his spacious $20,000 home at 442 Union st.

His wife, Mrs. Mary Pollard Adair, reportedly had been living with friends until the day she was awarded the home by the courts.

Baltimore, Md.

13C

P. 2

Ala

Peacemaker Wounded

A stray bullet from Dr. Adair's deadly pistol hit a peacemaker, Jesse Dawson, it was reported.

Dr. Adair's attorney, John Blue Hill, waived preliminary hearings and the case was scheduled for investigation by the Montgomery county July Grand Jury.

Adair's wife and Mr. Dawson were found lying in the street outside the doctor's home Saturday by city detectives W. A. Davis and Charles Benson.

Surrenders To Sheriff

Adair surrendered to Sheriff George A. Mosley shortly after the shooting. Sheriff Mosley said the physician met him outside the county jail and while the two were entering the building said:

"I've just killed my wife and she's lying in the street outside the house."

Mrs. Adair was not dead when police officers arrived, but expired several hours later at St. Jude's hospital. Dawson, who told Mosley that Adair did the shooting but did not give any reason for it, suffered only flesh wounds and was released after hospital treatment.

Mosley said Adair refused to make any further statement, but did surrender a .38 caliber pistol.

Nine No Bills Returned

Dr. Roman T. Adair, a Negro physician charged with the murder of his wife last May 16, was exonerated by the grand jury. His case was one of nine no-bills returned.

Montgomery, Ala.

Advertiser

Negro Leaders Express Concern Over Murders Among Race Here

By DON McKEE

The Negro population of Montgomery continues a killing spree that has taken 14 lives this year. In the first nine days of August alone three Negroes have been murdered.

Advertiser

P. 1

Montgomery, Ala.

In the evidence room of the Montgomery Police Department are ice picks, "chicken stickers," old guns, hunting knives, and other lethal weapons that have taken the lives of Negroes here.

Last year 21 Negroes were murdered within the police jurisdiction of this city.

13C

What is the reason for the high homicide rate among Montgomery Negroes?

Several outstanding Negro leaders of Montgomery were contacted and questioned about the Negro murder incidence here.

All of the civic and social leaders expressed grave concern over the situation.

Here is comments from three of them:

"It's deplorable. They're (law enforcement) too lenient on these folks that are doing this killing. I think that an example should be made of some of these murderers and they'll cut it out," said one Negro leader. He referred to the "electric chair" as a possible "example."

"A very disturbing situation," Dr. H. Council Trenholm said.

8-16-53

"There is a question whether to try to project any particular cause," he declared. "But better recreation has some relation."

"Some of it (murder) stems from a feeling of frustration, generally, which might affect their (Negroes) sense of values," he said.

He described the circumstances as "serious" and warranting "some effort to get to the bottom of it."

Situation Is "Baffling"

J. E. Pierce called the situation "baffling," and added:

"It has concerned me for sometime. I believe that there is too much night life of the wrong sort among the Negroes," he said.

He, too, called attention to the lack of recreation among Negroes here and cited the initiation of Negro policemen among Negro district as a possible way to cut down on the murder rate.

"More participation in the recreational and political life of the city is needed," he aid. He also pointed to the inefficiency of truant officers and education officials in keeping young Negroes in school—hence a lack of education.

"It call for social responsibility on the part of leaders of both races," he concluded.

There is reason for Negro—and white—leaders to be concerned:

Advertiser

On the night of Aug. 1, Willie Joe Woods, Negro, stepped out of the "400" Club at Taft and Clark Streets. In the semi-darkness around the Negro "joint," Woods met his death when an as yet unknown person or persons stabbed him in the chest and neck.

Aug. 16-53

Eight days later, on Aug. 8, Joe Matthew Brookes, a 30-year-old Negro, was found dead on the front porch of a Negro woman's home. He, too, had been fatally stabbed in the heart region. And his killer, too, is yet loose, although two suspect have been arrested.

13C

An argument ended in death for Walter Davis, Negro, 1214 High St., on Aug. 9.

Mary Lee Thomas, whom Davis lived with, has been arrested for murder in connection with the killing. Friday morning in court, the Thomas woman admitted stabbing Davis, waived indictment by a grand jury and pleaded not guilty on grounds of self-defense.

Ala

An employer of the Davis man told Detective Capt. Lewis Miller that the Negro had said his wife intended to kill him prior to the slaying.

Davis had been cut within an inch of his life twice before by the Thomas woman, the employer said.

Other Murders Cleared

The other 11 murders committed here this year have been cleared, Capt. Miller said.

There were 21 people—all Negroes—murdered in Montgomery in 1952, records show.

Of that 21, none remain unsolved.

However, two of the cases have been classed as justifiable homicide.

Cornelius Mimms, Negro, was stabbed by Andy Jackson on July 26, 1952. A jury returned a verdict of justifiable homicide.

The other self-defense killing also occurred on July 26. William "Buster" Davis, Negro, was stabbed by Johnnie Mae Rostic, who confessed the slaying. She testified that the Davis man accosted her with a knife, and later tried to assault her. She succeeded in wrenching his knife away and stabbing him, she said.

The weapons used in the 21 slayings last year included eight shotguns (usually 12-gauge), one rifle, three pistols, and nine knives (these range from pocket-knives to butcher knives).

The last white man murdered here was H. A. Carmack, in 1949. He was shot in the leg by three teen-age Negroes on the night of July 23, 1949. Motive for the killing was robbery, but the would-be robbers only got a handful of worthless receipts for their trouble.

Carmack's murderers have not yet been apprehended.

Since the Montgomery Police Department began keeping a detailed, systematic file on crimes here, in 1947, there have been 108 people killed at the hands of another.

During 1947, there were 16 murders; in 1948 there were 24. Of those 24, the Police Department cleared 21 of them the same year.

By a strange coincidence, there were 24 murders each year during 1948, 1949 and 1950. And in 1951, 20 people were murdered.

"The element of success in clearing up a murder," Capt. Miller said, "is time."

"Get on a case and stay on it," is his motto, and it has paid off in giving Montgomery a good record for clearing up murders.

7 Indicted In Alabama Slave Case

Death of Negro Laid to Beating

BIRMINGHAM, Ala., Sept. 9—(P)—A federal grand jury has indicted seven white farmers on charges of holding Negroes in slavery and beating them. One Negro man who tried to run away allegedly died as the result of a whipping.

Constitution

The indictments against six Alabama farmers and one Mississippi man were revealed when six of the accused men surrendered at the U. S. marshal's office todya. They were released on bond.

P. 5

They were identified as Oscar Edwin Dial, 34; Fred N. Dial, 25; Grady Clarence Dial, 28, and Robert Mitchell Dial, 44, brothers; Arthur Arnold Dial, also known as Otto Dial, 27, a second cousin of the other Dials, and Charles Harper, also known as Francis Harper, Portersville, Mississippi.

Atlanta, Ga

ANOTHER COUSIN

U. S. Dist. Atty. Frank Johnson Jr. said Lindsay Winyard Dial, 43, a first cousin of the Dials, would give himself up at the marshal's office tomorrow under the same indictments.

Journal

9-10-53

All of the Dials are farmers in Sumter County, Ala., where they have extensive holdings.

Johnson and FBI Agent J. M. Lopez disclosed details of the cases.

The indictments charge that farmers paid fines levied against the Negroes, then brought them to the Dial farm near Boyd, Ala., to work out the debt, holding them in "involuntary servitude and slavery."

The federal officers charged that four Negroes were tied and whipped with a lariat rope.

ACCOUNT OF WHIPPING

The indictment gave this account of the alleged fatal beating of Herbert Thompson, also known as "Monk" and "Monkie."

Fred Dial brought the Negro to his farm after paying a fine for him in Lauderdale County, Ala. When Thompson tried to run away early in May, he was caught by Fred and Oscar Dial.

Fred Dial held a shotgun on Cliff Fluker, another Negro, and ordered Fluker to tie Thompson over a bale of hay. Fluker refused and Dial then ordered Fluker to hold Thompson while Dial tied the Negro around the neck, waist and feet.

The indictment alleges that Fred Dial then forced "other persons" at the point of a shotgun and pistol to beat Thompson with a rope, and also struck the Negro himself.

John Leon Rutledge, a 16-year-old white boy, also held a shotgun on the others while Thompson was being whipped, according to the indictment. No charge was listed against him.

After the beating, the Negro was carried to the home of Grant Hopson and died there May 9, the indictment alleged.

NegroEn Route Here To Face Murder Charge

Two County Deputies Accompany Hanson Back To Montgomery

Charlie Hanson is on his way back to Montgomery to stand trial for murder.

The Negro, arrested in Anchorage, Alaska by FBI agents on Aug. 3, landed in Seattle yesterday by steamship, and accompanied by two Montgomery County sheriff's deputies, he immediately boarded a train for Montgomery.

Advertiser

Sheriff George A. Mosley Sr., stated yesterday that he had received a telegram from Deputies O. S. Shivers and J. O. Mathis informing him of their arrival in Seattle. The sheriff added that the two officers and Hanson are expected to reach Montgomery Tuesday or Wednesday.

P. 1

Extradition Success

The extradition papers necessary to return Hanson to Montgomery were completed last Wednesday, only hours before he would have been released by government authorities.

The warrant on which the Negro was arrested would have held him in custody for only 30 days.

Montgomery

Hanson is wanted by Montgomery County authorities to stand trial for the murder of E. C. Connell, who was shot to death on Nov. 8, 1946, while working on a housing project on Fairview Ave.

9-6-53

Hanson was indentified as the man who shot and killed Connell and seriously wounded Vernon E. Hood, but the elusive Negro had managed to stay ahead of the clutching hands of the law until early last month.

A short time after the shooting a Montgomery County Grand Jury indicted Hanson on a first degree murder charge.

It was brought out in the Grand Jury hearing that Hanson had worked for Connell and Hood on the housing project but was fired. Several days after he was dismissed, Hanson came back to the scene and shot the two men.

Witness Identifies Hanson

A witness who was standing less than 10 feet from the scene of the crime positively identified Hanson as the murderer.

When local authorities were notified last month of Hanson's apprehension they immediately made plans for his extradition. This process was delayed considerably as no one had ever been extradited from Alaska before and authorities in Anchorage were not familiar with the necessary legal steps.

Advertiser

9-6-53

Finally, in a desperate move against the 30-day deadline, Deputy Shivers was flown to Anchorage last Sunday. He completed all the extradition details and Wednesday was joined by Deputy Mathis.

Commenting on the extradition, Sheriff Mosley said yesterday that he believed his officers must have set some sort of state record in bringing Hanson back here.

The two officers travelled a round-trip total of nearly 10,000 miles by land, sea and air in bringing the wanted man back to Montgomery.

Fletcher Mills sentenced to 10 years in Alabama

13c

(Special To The AFRO)

TUSCALOOSA, Ala. — Pleading guilty to charges of atrocious assault with intent to kill, Fletcher Mills, ex-sharecropper was sentenced to 10 years in prison here Monday.

Afro American

Mills, 35, who was extradicted from Philadelphia after a bitter legal fight to face the charges in connection with the stabbing of his white landlord in the arm during 1945, was tried in the town where the incident took place.

P. 2

Baltimore, Md.

He pleaded guilty upon the advice of his counselor, a public defender, who informed the defendant that he didn't have the slightest chance of gaining an acquittal.

Sat. 10-17-53

David Levinson, Philadelphia attorney who is interested in Mills's case, said that the public defender, Frank Bruce, had informed him by telephone that he had advised him (Mills) to plead guilty because he "didn't have a Chinaman's chance."

"White Supremacy Justice"

Levinson, who represented Mills when he fought extradition here, called the whole action "white supremacy justice with a vengence."

Levinson took Mills' case to the Supreme Court three times. When the final plea was lost, last July, Mills was returned to Tuscaloosa.

About a month ago, Levinson said, he went down to Tuscaloosa to obtain a lawyer for the defendant.

"I had three lawyers and they all pulled out, realizing, after I was back in Philadelphia, that they had too much work and couldn't handle the case."

Unfamiliar With Case

Judge Charles Warren of Tuscaloosa County Court appointed Bruce for the defendant only a few hours before the trial.

Levinson said he talked with the judge shortly before the trial by telephone and asked that the time be postponed until the public defender had a chance to study the case.

The request was denied. It is believed the District Attorney, Monroe Ward, argued against postponement.

Ward is running for re-election and it is believed that he is using Mills as a "proof-rock" to edify his faith in white supremacy.

Mills' Story

Specifically, Mills was charged with assault with murderous intent. The defendant tells briefly his story:

Mills said he asked his landlord, Roy Terry, to come and help him get his (Terry's) cows out of his (Mills) field. Mills worked the land for Terry on a sharecropper basis.

The defendant said Terry called him an unprintable name and picked up a pick-handle and started pounding him over the head and in the face.

Cut Self, Defendant Says

Mills said he pulled out his little pen-knife and tried to ward off the blows. "I didn't cut him, he cut himself trying to beat me," Mills told the AFRO in an interview, a few months ago.

Mills said Terry's wife called to a son to get the gun and he fled. Later that day, a group of men came to his house on the farm. Mills said he was hiding in the woods, but could see they were armed.

Nabbed By FBI

He fled to Birmingham, then to Detroit, then to New York and finally he came to Philadelphia, where he was arrested by the FBI for interstate flight.

It was here that he met Levinson, who gave Mills his service without financial compensation.

Levinson said he had intended to go Alabama and plead Mill's case himself, but the trial came at a time when he was busy with the Georgia chain gang case.

Mills will have to serve his sentence of 10 years at hard labor either on the chain gang or in Kilby state prison.

13c 1953 ALABAMA

FIKES DOOMED TO CHAIR

WILLIAM EARL FIKES

SELMA, Ala.—An all-white jury last week doomed William Earl Fikes to death in the electric chair at Kilby Prison, where he already is serving a ninety-nine-year term growing out of a series of statutory crimes which shocked Selma last spring.

Judge W. E. Callen sentenced Fikes to die on March 5, 1954, pending results of the automatic appeal to the Alabama Supreme Court.

Pittsburgh Pa.

Sat. 12-19-53

The Selma branch NAACP, whose counsel fought a long and bitter battle to keep Fikes from being tried on technical grounds, indicated it would appeal his case up through the highest courts of the land.

* * *

NEGRO SELMA and surrounding areas raised money for Fikes' defense, believing him innocent of the crimes which plagued the city and which even Negroes themselves offered a reward for apprehension of the perpetrator.

Fikes was condemned on a charge of nighttime burglary. It was alleged he entered the home of the daughter of Selma's Mayor.

A ninety-nine-year term was meted Fikes a few months ago on an accusation that he raped the wife of a Craig Field airman during the crime series.

Defense Counsel Peter A. Hall and Orzell Billingslea fought a losing battle at the outset in their attempt to acquit Fikes.

Judge Callen refused to grant their motions that indictments against Fikes should be quashed on the grounds that Negroes are systematically excluded from Dallas County juries.

* * *

A HEARING on this issue consumed an entire week prior to the trial which started Monday, Nov. 7. Both white and Negro witnesses testified that Negroes had not been used as jurors in modern times.

Although eight Negroes were on the venire called to try Fikes in the last case, they were stricken by the state and defense counsel. The usual all-white jury resulted.

Sat. 12-19-53

The jury heard testimony alleging that Fikes entered the home of Mrs. Al Rockwell, white, and that she fought him off.

A TAPE-RECORDING of an alleged confession made by Fikes was introduced at the trial over the objections of NAACP counsel.

Three Tuskegee psychiatrists, Drs. Willis Edgar Lewis, Gordon Carey Looney and Allen P. Smith Jr., testified that their examination of the father of four children suffered from schizophrenia, or a split personality, a mental illness.

Affidavits were introduced showing that three persons, purportedly kinsmen of Fikes, had been committed to insane asylums.

A number of white witnesses from Marion, Ala., home of Fikes, testified that his character was good in that community, despite a conviction for burglary.

* * *

IN HIS ARGUMENT for quashing the indictment against Fikes on grounds of Negro juror exclusion, Atty. Orzell Billingslea argued:

"Negro citizens would love the opportunity to serve as jurors in Dallas County. It is our contention that the defendant cannot get a fair and impartial trial if his jury is composed only of white men.

"No white man can understand this defendant. To understand a Negro you must either be one or live like one. If Negroes are to be good citizens, they must be given an opportunity to assume the duties of citizenship.

"And if the venereal disease and illegitimacy rate is as high among the Negro population of this county as the defense insists, then it is a blight not only to be held in shame by the Negroes, but by the white people of the county as well."

* * *

ATTORNEY HALL argued that "the morals and character of the Negro citizens are in keeping of the officials of Dallas County and they will never be any better than these officials afford them an opportunity to better themselves through schools and other facilities."

The Dallas County Jury Commission was called upon to "familiarize themselves not only with some Negroes, but with more white people as well."

Judge Callen, however, denied their pleas for quashing of the indictment on the grounds of Negro exclusion and the all-white jury found Fikes guilty of the statutory offense of nighttime burglary, the death sentence being the supreme penalty.

In a hearing in October, the indictment was quashed because of jury list irregularities.

Mrs. Gladys Fikes, wife of the defendant, testified that her husband did not have the habit of staying out late.

* * *

DEFENSE COUNSEL brought out that Fikes was less than a block away from a Negro neighborhood when arrested and accused of multiple crimes that terrorized Selma.

Selma NAACP members and Elks rallied the money for Fikes' defense, believing him innocent as he contends.

Violent Deaths Among Negro Citizens Now 54

By MARCEL HOPSON

Grim-faced police and Coroner Joe L. Hilderbrand, who hoped for a quiet, serene Christmas were sadly disappointed when they were summoned to investigate three slayings within twenty-four hours, last weekend, increasing the total number of violent deaths among Birmingham Negro citizens to 54 since last February 2.

13

Victims of Xmas holiday slayings were identified as Albert Rogers Jr, 18 of 2900 North 34th St., who was slain reportedly around seven o'clock Christmas Eve night, December 24; Earnest Ben Allen, 35 of 1332-A South Short Fourth-al, who was slain reportedly with a small axe, around 2:55 o'clock Christmas Day afternoon; and Willie Jones, Jr., 44 of 617 South 13th Street, Apartment-K, who was stabbed to death reportedly with a butcher knife, around 8 o'clock Christmas night, police said.

12-29-53

HIS RETURN WAS FATAL

Frank C. Harper, 39 of 3417 No. 28th Ave. was questioned in connection with Rogers' death which occurred reportedly in the hallway of Harper's residence.

Witnesses told police that Harper allegedly shot young Rogers with a .32 Smith and Wesson special revolver pistol when the youth allegedly advanced on the older man with a pocket knife.

Harper was not immediately taken into custody pending the outcome of a coroner's inquest, police said. Rogers was dead at the scene of the slaying, police said.

Police quoted witnesses as saying that Rogers reportedly was put out of the house by his mother, Mrs Lillie Harper, 3417 Nrth 28th St. and his brother, Charles Rogers of 2900 North 34th St., shortly after he allegedly attempted to cut Harper. The victim left allegedly warning "I am coming back" returned shortly and forced his way into the house, officers learned from witnesses.

Investigating officers said Rogers' death was apparently motivated by a fight "over some money."

Other witnesses were identified as Mrs. Georgie Lewis, of 3429 No 28th Avenue and Wilbert Donald, of 3422 North 27th Court, police said.

THIS MAN RETURNED, TOO

Alfred Rives, 65 of 1332-A South Short Fourth-al, was in jail, this week, charged with allegedly fatally striking Allen over the head with a small axe during a dispute at their home, police said.

Rives told police that Allen, whom he reportedly had put out of the house, allegedly had tried to cut his (Rives) wife with a knife, then advanced on him with the weapon. He said he struck Allen in the right forehead one time with the weapon, police quoted him.

The victim was pronounced dead on arrival at Hillman Hospital, officers said.

Among identified witnesses to the slaying were Mrs. Hattie Bell Rives, the defendant's wife and Miss Ruthie Bell Berry of the same address, police said.

"BUTCHER KNIFE BLUES"

Mrs. Mattie Pearl Jones, confined in jail this week, is charged with allegedly stabbing to death with a butcher knife her husband, Jones, at their home, during a domestic quarrel, police said.

The victim was pronounced dead on arrival at Hillman Hospital, police said.

"TALK ONLY TO ME"

Miss Artemise Coleman, 24 of 873 Hilman Drive, Bessemer, was admitted to Lloyd Noland Hospital Wednesday evening, a victim of an apparent severe beating, police said.

At the hospital, Miss Coleman reportedly stated that Willie Lewis Jr., of Rising Station, Birmingham, whom she identified as her boy friend, became enraged over "my talking to another man," and allegedly began beating and bruising her body with his fist and feet around 2:40 o'clock Wednesday afternoon in front of a residence listed as 2011 Avenue P., Ensley, police said.

Investigating police further quoted Miss Coleman as saying that after she fell from the blows, Lewis allegedly began to kick her with his feet.

Police said the victim's left eye was black and swollen and that she complained that a side of her body was injuired from the barrage of blows. She was taken to the hospital in a private car, officers said

Miss Naomi Brown of 1704 20th St., Ensley and Miss Jamie Crawford of 2011 Avenue P., Ensley, were identified by police as witnesses.

"WITHOUT SUGAR AND CREAM"

George Hegler, 23 of 3617 West Fifth Place, declared the "aggressor," was awarded only a knot side the head, police said.

Protecting herself, police said, was Mrs. Irene Hegler, 30 of the same address, who stated that Hegler was abusing her when she allegedly conked the victim over the head with a coffee cup, inflicting an injury which required six stitches to close a gash behind the left ear.

Mrs. Hegler was not arrested since the case was declared "self-defense," officers said.

"50 CENTS WORTH OF MEAT"

Theodore Mullins, 40 of 930 No. 20th Way, was arrested on an assault with a weapon charge and placed in jail for allegedly cutting on the hand, Miss Helen Owens, 30, of 1512 North Sixth Avenue, while they were reportedly at the "Dunbar Annex Cafe,' around 9:40 o'clock Christmas Eve night, police said.

Miss Owens complained that Mullins attempted to take fifty cents from her pocket, then pulled a knife and allegedly cut her on the hand. She was taken to Hillman Hospital, treated for a slight wound and dismissed.

Freddie Lee Glenn of Route 7, Box 28, city was listed by police as a witness.

"LEAD PIPE OVER HEAD FOR XMAS"

Tom Robinson, of 1409 N. Fifth Ave., claimed that around midnight Christmas Eve, three unidentified men sneaked upon him lamed him over the head with an iron pipe and robbed him of seven dollars, police said.

Robinson said the alleged attack occurred at North Fifth Avenue and 31st Street, police quoted him Police said the victim had been apparently "drinking heavily" and was unable to give concrete descriptions of his assailants.

"THA'S SHOOTIN' IN THEM HILLS"

Alex Johnson, 37 of 2321 25th Avenue, was admitted to the Veterans Administration Hospital on Christmas Day afternoon with his left arm practically shot off, police said.

Investigating officers said they learned that Johnson had been shot with a shotgun allegedly by Sam Cunningham, 50, of the same address, during a squabble in their home, around 3 p. m. Christmas.

Mrs. Cunningham, of the same address, was identified as a witness, police said.

"BLADE-TEASING"

Miss May Bell Frazier, 34 of 1818 Avenue M, Ensley, was treated at Hillman Hospital for sustained knife slashes of the body and dismissed, police said.

Police said Miss Frazier accused Nathaniel Douglass, 35 of the same address, of allegedly slicing her during a quarrel in their home, around 10:30 o'clock Christmas Eve night, police said.

Triple inquiry shapes in killing of Negro in jail

News

GROVE HILL, Ala., Dec. 29—A three-way investigation of Sheriff Jenkins A. Hill's killing of a Bessemer Negro auto mechanic who testified against the sheriff at a liquor conspiracy trial shaped up today.

Circuit Solicitor Edward P. Turner said at Chatom that U. S. Atty. Percy Fountain of Mobile, asked him to come to Grove Hill and make an investigation into the shooting of Moses Jones early Monday.

Turner said that the Clarke County Grand Jury will look into the shooting next Spring. The National Assn. for the Advancement of Colored People will make a separate inquiry into the case, officials said.

Birmingham Ala.

Federal Alcohol and Tobacco Tax Unit agents for whom Jones testified in the Fall case which ended in a mistrial in Mobile, also are expected to look into the death of the former government witness.

P. 2

In Washington, the Justice Department said today that Fountain had reported the matter to its criminal division and that the civil rights section was examining the situation to determine whether any violation of federal statutes was involved.

12-29-53

IT WAS DISCLOSED that Pat Rone, Jackson, Ala., used car dealer, who was one of three defendants in the Sept. 21 liquor conspiracy trial, was arrested by ATTU agents on Dec. 23 and charged with transportation of bootleg liquor.

Agents said Rone had 22 gallons in his possession. He is under $1000 bond pending Federal Court action.

Jones was slain at the Grove Hill Jail when he "jumped me and tried to take my gun away," Sheriff Hill said. Jones had been returned early Monday morning from Bessemer by the sheriff on a fugitive warrant signed by the Thomasville mayor. The sheriff said his recollection of the case was that Jones had been fined in a liquor case some six months or so ago and had failed to pay a $154.25 fine. The warrant had been in Bessemer for "about six months," the sheriff said.

Jones was arrested by Bessemer deputies Sunday night and held for the Clarke County sheriff. Acquaintances of Jones made an effort to pay the $154.25 fine, they said, because Jones was terrified over prospects of returning to Clarke County.

He moved with his family to Bessemer from his Clarke County farm last Spring because he feared for his safety, he told two Birmingham Federal Court officials.

McKinley Holt, friend of Jones, said he called a "Mr. Joe York" of Thomasville and was assured it would be all right to send a check for the $154.25 fine and to so notify Bessemer officers and have them check with York. Holt said neither Bessemer officers nor Sheriff Jenkins would accept the fine money.

Holt reported developments to a Birmingham federal court official who attempted to delay Jones' return.

IN THE FALL TRIAL at Mobile, the sheriff, Rone and Sam Deas, Kushla, Ala., night club operator, were on trial. Jones testified that he turned down a proposal to sell liquor under a protection set-up. Four weeks later, Deas and G. C. Allen beat him and told him "not to be caught in Thomasville again," Jones testified. Allen was shot to death in Deas' night club while Sheriff Hill was present. A Mobile County Grand Jury failed to indict anyone in the case, although Deas admitted firing the fatal shot. A government investigator testified that Allen had agreed to help the government in its Clarke County probe shortly before he was killed.

SINCE THE PREVIOUS CASE ended in a mistrial, a new case was under study and the U. S. attorney said he planned to use Jones as a witness. He said "I am very much interested in the case and I'm going to do everything I can to find out what the facts are."

The sheriff said that after he removed Jones' handcuffs in the jail the man grabbed for the gun but didn't know how to work an automatic holster latch.

THE SHERIFF said he shot three times. The Thomasville Funeral Home noted two bullet wounds in Jones' chest, one through the heart.

Sheriff Hill said there wa no jailer or other witness but that a white prisoner nearby may have heard the incident.

When he was summoned as a witness in the case last September, Jones appealed to Birmingham federal court officials for protection. ATU men kept him under watch and U. S. Attorney Fountain said "we kept pretty close watch on him."

Wife, Lover Accused in Husband's Death

Drummer says she gave him 'come on'

Afro-American p.1
Baltimore, Md.

Find millionaire Alaskan slain in his penthouse apartment

Dat. 11-14-53

FAIRBANKS, Alaska—A torrid undercover romance between the tall and beautiful wife of a local millionaire and a soft-spoken musician drummer was revealed last week after both were indicted on charges of murdering the blonde's husband, Cecil Wells, 51.

Following the handing down of a first-degree murder indictment by a [illegible] grand jury, police in Seattle, Wash., arrested glamorous Mrs. Diane Wells, 31.

The other reportedly self-confessed member of the love triangle, Johnny Warren, 33, was arrested in Oakland, Calif., and was scheduled to face an extradition hearing on Tuesday.

Widow Under $5,000 Bond

After her arrest, the strikingly beautiful Mrs. Wells posted $5,000 bail and headed back to Fairbanks to face trial. Meanwhile, Warren indicated that he would not fight extradition and would also agree to return to Alaska to stand trial.

In a 20-page sworn statement, Mr. Warren frankly admitted being intimate with Mrs. Wells on a number of occasions, but denied any knowledge of the death of Wells on Oct. 17.

Mr. Wells was found dead with a .38-caliber bullet in his head in his luxurious apartment in Fairbanks' tallest building. Police were called into the case when Mrs. Wells, apparently beaten and semi-conscious, crawled from their apartment to that of a neighbor.

Says 'Two Men' Killed Him

During a police investigation, she testified that Mr. Wells had been shot by two men who entered the apartment and knocked her unconscious.

On Wednesday, however, after listening to testimony concerning the nature of the relationship between the blonde and the Mississippi born drummer, the grand jury returned the murder indictments.

While Mrs. Wells made no statement about her romance with Mr. Warren, the drummer supplied police with a mass of details concerning his intimate association with the blonde, that began on Labor Day when he was playing with a band at the Fairbanks golf and country club.

'Got Mixed Up' With Her

"Sure I got mixed up with that woman," Warren said. "But I had nothing to do with killing that man."

In recounting the beginning of his sizzling romance with the beautiful matron, Warren said that he was attracted to her when he looked up from his drums and saw Mrs. Wells looking at him over the shoulder of her husband as they danced.

He said that the next day he called her and after a brief conversation, during which he identified himself, she invited him over to the apartment which she shared with her husband, a millionaire automobile dealer.

'Had A Few Drinks'

"She said it was safe, so I went there and had a few drinks. The next day, she called me at the store where I was working daytimes and asked me if I'd like to come up again. I told her yes and I did.

MRS DIANE WELLS

Did she wink at him?

CHARLES WARREN

He kisses and tells

"But we only stayed at the place for a few minutes. She said she was a 'little uneasy! I was uneasy, too. She wanted to know if we couldn't go somewhere else.

Afro-American

"I called a white friend of mine, a musician in the same band, and asked to use his apartment. I went over to make sure he had cleared out and then she came over.

Dat. 11-14-53

"After that I saw her quite a few times in my friend's apartment," he said.

'Broke Off Romance'

Warren said that the romance continued for some time but, prior to the slaying, he decided that he would leave Alaska to get away from Mrs. Wells.

He reportedly told police that Miss Wells tried to persuade him to change his mind, but that he told her that he was having trouble with his wife, another blonde, and that he had to leave town.

13c

In his statement, Warren said that on the day before he left Alaska, a stranger called him at the club where he was employed and asked if he would like a paying passenger to carry in his automobile to Oakland, where he had decided to visit his sister.

Alaska

'Passenger' Didn't Show

He said he agreed to meet the stranger in the lobby of the swank hotel where Mr. and Mrs. Wells lived, but that after waiting from 2 a.m. until 4 a.m., he left when his mysterious caller did not show up.

(According to police, the murder of Mr. Wells took place sometime during these hours.)

Warren said that after leaving the apartment house, he picked up another passenger and his 5-year-old daughter, Susan, and drove to Oakland.

Cut Off With $85,000

As police continued to probe the mysterious killing, they came up with the information that Mrs. Wells had been arrested shortly after her marriage to Mr. Wells, in 1949, on a charge of forgery, but that the charge was later dropped when her husband made good several checks.

Mr. Wells left a will leaving about $85,000 to his wife and her son, with the rest of his estate to go to the children of his other four wives and to two brothers.

Police Chief Fired Over Wells Case

13c

FAIRBANKS, Alaska. —(INS)— Police Chief E. V. Danforth of Fairbanks resigned under fire Monday night in connection with his handling of the Cecil Wells murder case.

Call

Wells' widow, Diane, 31, and Johnny Warren, 31, Negro drummer in a jazz band, are charged with murder in connection with the slaying. The victim, 51, was a prominent automobile dealer and former president of the Alaska Chamber of Commerce.

p.1

Danforth's handling of the case was condemned by a coroner's jury, and the grand jury recommended that he be fired. The city council opened an investigation, but he resigned before its outcome could be reported to the full council.

Kansas City

Danforth formerly lived at Seward, Alaska, and San Diego, California.

Blonde Seeks Dismissal Of Murder Charge

FAIRBANKS, Alaska — Blonde Dianne Wells was scheduled to appear in federal court here this week to ask for a dismissal of murder charges against her.

p.1

Mrs. Wells, 31, is accused of the murder of her wealthy husband, Cecil, auto dealer and former president of the Alaska Chamber of Commerce.

11-28-53

Also accused is Johnny Warren, 33, a jazz drummer, who claims to have been intimate with Mrs. Wells but denies participation in the crime. Warren is fighting extradition from Oakland, Calif., where he was taken in custody after his arrival from Fairbanks two weeks ago.

Mrs. Wells has denied there was any romance between herself and Warren.

Drummer Admits Trysts, But Denies Part In Murder

Defender P1 Sat. 11-14-53

Chicago, Ill.

NEW YORK, — (INS) — Beautiful Mrs. Dianne Wells, 31, accused with a Negro Jazz musician of murdering her millionaire husband, today denied love trysts with the drummer and vowed she would find her mate's killer.

Mrs. Wells told her story in an exclusive telephone interview with the New York Journal-American from her apartment in the Northward Building, the tallest structure in Fairbanks, Alaska.

The willowy blonde revealed to the newspaper she was speaking from a small flat one floor below the swank apartment where authorities alleged she and Drummer Johnny Warren killed her husband as he slept.

WANTS NAME CLEARED

"It seems the only way I'll be able to do it is to find my husband's killer. And that I intend to do, so help me!"

The sweet-voiced widow branded as "complete lies" Warren's claim they had been intimate several times during a [illegible] Far North romance that started when she "gave him the eye" over her spouse's shoulder at a dance.

Cecil Wells, 51, the slain man, was a wealthy auto dealer with extensive mining interests and a former president of the All-Alaska Chamber of Commerce.

Mrs. Wells talked a few hours after she flew back to Fairbanks from Seattle with her small son, Marquam.

Except when the conversation touched on the murder and her reported intimacies with Warren, she spoke in a soft, well-modulated voice.

Questioned about the lurid details of the romance the musician gave Oakland, Calif., police in a 23-page statement, Mrs. Wells said:

"I have no comment, other than to say that they were all complete lies. I don't know why he said what he did, but everything he told police was a lie."

"How long and how well did you know Warren?"

MRS. DIANE WELLS

"I only met him accidentally in September, but I didn't know him very well. In fact, I hardly knew him at all."

"Is it true as he said that you flirted with him during a dance at the Fairbanks' Golf and Country club?'"

"That's absurd, I never flirted with anyone in my life, especially with a man like him."

DENIES INTIMACY

"Is it true as he claims you had intimate relations with him?"

After a brief pause, the svelte widow replied in hurt tones:

"Definitely not. It's all lies. That is one of the lies that hurt me most. Anyone who would believe a thing like that is insane."

"Were you in love with Johnny Warren?"

"No," she angrily retorted, "I told you before I hardly knew him.

"Were you and your husband happily married."

"Of course we were, very happily married."

"Do you have any idea who might have killed your husband?"

"No, I have no idea at all. But I vow I'm not going to stop trying until I do — even if it takes the rest of my life."

"Why did you decide to return to Fairbanks "

EARLY TRIAL

"I came back here to clear my name and the name of my son of these fantastic accusation which have been made against me. I want to get an early trial and clear myself as soon as possible."

"When I do that, people will be forced to take back all the lies they are telling about me."

Like most conversations, the talk finally touched on the weather. "How is the weather up there? It's snowing down here."

"It's snowing up here, too."

"Do you have anything special to add?"

JOHNNY WARREN (left) with Insp. JAMES MANGINI.

"Do you want a scoop?"

"What kind of a scoop?"

"My son is only three years old not four as the papers are saying."

"What are your immediate plans?"

"I haven't any except to try to get a trial as soon as possible. I don't want to spend the rest of my life with a blackened name and having a son who is ashamed of his mother."

WELLS' FIFTH WIFE

A native of Portland, Ore., she became Wells' fifth wife in 1949 following her divorce from a Seattle marine engineer.

After Wells was shot to death Oct. 17, his wife said two men invaded the apartment, killed him and beat her up. She was found bruised and semi-conscious.

But territorial authorities, after a two-week investigation, uncovered the asserted romance between Mrs. Wells and the Drummer who had left Alaska for Oakland the day of the murder.

Warren was quoted as saying that Mrs. Wells was the "aggressor" in romance that began Labor Day and ended shortly before the murder.

MET IN TRYST

In his police statement, the drummer said he informed Mrs. Wells Oct. 15 of his plan to leave Alaska.

He said they met that time in the Stairwell of the Northward building, one of their regular trysting places.

"She didn't want me to leave," he said. Warren's white wife lives in Fairbanks.

Warren conceded he had been in the lobby of the building about the same time authorities say the husband was slain.

He announced through an attorney he would fight extradition Tuesday when he appears before U.S. Commissioner Cameron Wolfe in Oakland where he was jailed upon his arrival from Alaska.

Warren claimed it would be unfair to subject him to the "wave of prejudice" at Fairbanks.

13c 1953

ALASKA

Denies Murder Charge

Johnny Warren Tells of Trysts

13c Alaska

(By International News Service)

FAIRBANKS, Alaska—Johnny Warren's ability to yawn while in the presence of a strip-tease act first attracted beautiful Diane Wells to him, according to Oakland, Calif., police who arrested the musician last week as a suspect in the sensational slaying of General Motors' Alaska distributor Cecil Wells.

Both Warren and the widowed Mrs. Wells have been indicted for murder. Wells was shot to death in his plush apartment, located in Alaska's tallest building on Oct. 17.

Courier P.t

WARREN, WHOSE white wife still is in Fairbanks, told Oakland Police Inspector James Mangini that Mrs. Wells said she was first attracted to him when she saw him working in a band playing for a strip tease dancer.

Sat. 11-14-53

Mangini said that Warren told him Mrs. Wells saw Warren yawn while the dancer was stripping and that she confided: "She was fascinated by a man who could be so disinterested while a young woman was undressing in front of him."

Pittsburgh, Pa.

MANGINI QUOTED Warren as saying that he had trysts with Mrs. Wells not only in the apartment of a friend, but also in the stairwell of the luxurious apartment where the Wellses lived.

Wells, a wealthy automobile distributor who was married five times, was a civic leader in Alaska despite the fact that he had served more than six months of a Federal sentence for adultery in 1928. He was convicted in Juneau, Alaska, and served his sentence at McNeil Island, Wash. After leaving the penitentiary Wells began work as a mechanic in Juneau and built his fortune in the automotive trades.

Mrs. Wells is free on $5,000 bond pending appearance Nov. 23 in Alaska District Court in Fairbanks. Warren is held as a Federal prisoner in the San Francisco County Jail pending extradition hearing to be held in Oakland Tuesday.

* * *

MRS. WELLS was arrested in Seattle last week when she arrived by plane from Fairbanks with her son. She was released on $5,000 bond and immediately arragned to fly back to Fairbanks to begin work on her defense. She must appear in the Alaska District Court on or before Nov. 23.

The Federal grand jury indictment against her was handed down while she was en route to Seattle.

Warren gave Oakland police a long and lurid account of his Fairbanks romance with Mrs. Wells. He said that it was Mrs. Wells who made the first "advances" by flirting with him at a country club dance while she was dancing with her husband.

Warren voluntarily told how he "contacted" Mrs. Wells by telephone and how she allegedly invited him to her apartment "for a drink."

* * *

Courier

HE SAID he telephoned the blonde, Wells' fifth wife, on Labor Day, the day following the dance.

Warren declared: "I talked a few minutes, and tried to get her to guess who it was.

"I gave her a few hints about who I was in connection with the club where I was working and told her my name, and then she remembered who I was."

Warren continued: "She told me I had disappointed her quite a bit.

Pittsburgh, Pa.

"I asked her how and she said that when she saw me a couple of years before working in another club, she was interested in me, but when she learned I was married, she decided to forget about who I was."

* * *

WARREN THEN told of the plans for the first meeting in the apartment Mrs. Wells shared with the Alaskan millionaire, who was a General Motors distributor with extensive mining interests. Wells was also a former president of the All-Alaska Chamber of Commerce.

Sat. 11-14-53

Warren said: "During the course of our conversation she asked me if I would like to come up to her apartment for a drink.

"I told her 'yes,' providing it was safe, because I knew she was married. And she said it was safe for me to come up and so I went to the apartment and had several drinks with her."

Warren was then asked by Oakland inspectors if he had seen the willowy blonde again, and replied:

"Well, I saw her the next day in her apartment. She called me down at the store where I was working (as a warehouseman in the daytime) and asked me if I would like to come up again that afternoon.

"And I told her 'yes,' and I did."

Warren continued: "We stayed at her place a few minutes and she said she was a little uneasy staying there. I was, too, and she wanted to know if I knew some place else we could go."

* * *

WARREN THEN claimed he telephoned a fellow-musician, a white man, and arranged to use his apartment.

The drummer said he went to the other musician's apartment first, to get the other man to leave, and then "she came over."

He asserted that this practice was repeated and "quite a few times after that I saw her in this apartment."

Then he was asked directly whether he ever had intimate relations with Mrs. Wells, and. he answered. according to the police statement:

"When she came to that apartment that, uh, I mentioned was someone else's—yes."

Warren has admitted being in the luxurious Northward Apartment Building in Fairbanks at the approximate time that Wells was shot to death with a .38 caliber pistol.

* * *

BUT HE STOUTLY maintained that he was there to contact a stranger who wanted to ride with him down the Alaskan Highway to Oakland, where he often lived with his sister.

Warren, in his statement, admitted he had carried a revolver on his visits to the Wells' apartment because he "felt better having it in case of any trouble."

The jazz drummer insisted he never formally met Wells and that he had no connection with the murder.

Warren, upon his arrest in Oakland, had a sealed and unloaded .38 calibre revolver. He said he had sold a second gun, an Italian automatic, the night before for $10 to a stranger. This was believed to have been a .38 caliber pistol.

* * *

WARREN, IN TELLING his story, maintained that he "was not in love" with Mrs. Wells and had no intention of divorcing his wife. He said Mrs. Wells knew of his plans to leave Fairbanks to return to Oakland, adding:

"I told her it was best that I go. She didn't want me to go."

Mrs. Wells, at the time of the slaying, told Fairbanks police two unidentified men broke into the apartment, shot Wells and knocked her unconscious by hitting her on the head with a flower pot.

In Seattle, meantime, Wallace Aiken, attorney for the Wells' estate, said the will provides that the widow and son receive one-sixth of the half-million-dollar estate.

Mrs. Wells vowed Saturday to clear her name by finding the murderer of her millionaire husband.

The curvaceous 31-year-old widow also angrily denied love trysts with Negro jazz drummer Johnny Warren, which he had described to Oakland (Calif.) police in a 23-page statement.

The widow said she was "fighting mad" after flying back to Fairbanks from Seattle with her 3-year-old son, Marquam.

"I hurried back here with one intention in mind—to clear my name," she declared in a telephone interview with the New York Journal-American. She added:

* * *

IT SEEMS the only way I'll be able to do it is to find my husband's killer. And that I intend to do, so help me!"

Regarding Warren's story of having intimate relations with her after she "gave me the eye" at a Fairbanks country club dance, Mrs. Wells said:

"I don't know why he said what he did, but everything he told police was a lie."

At the same time Warren's white wife in Fairbanks came to his defense. In a telephone interview with the San Francisco Call-Bulletin, Mrs. Clara Warren said:

"I know Johnny is innocent — I'm positive of it. I'm certainly going stick by him."

She declined comment on Warren's claim of intimacies with the willowy Mrs. Wells.

* * *

MRS. WELLS said she met Warren "accidentally" last September, but that she "hardly knew him at all."

Answering Warren's claim of a flirtation at the dance, she asserted:

"That's absurd. I never flirted with anyone in my life, especially with a man like him."

Mrs. Wells said she and her husband were happily married and she had no idea who might have killed him, but she could find out "if it takes the rest of my life."

In Oakland, Warren announced through an attorney he would fight extradition when he is arraigned before U. S. Commissioner Cameron Wolf next Tuesday. He claimed there is a "wave of prejudice" against him in Fairbanks.

In Los Angeles 'For a Rest'

Blonde Murder Suspect Turns Back on Drummer

Courier 13c Alaska

Pittsburgh Pa.

Jan. 12, 1955

P.T.

LOS ANGELES (INS)— Pretty, blonde Diane Wells, who faces trial in Alaska for the murder of her wealthy husband, came to Los Angeles, Wednesday, for a rest and blamed bad police work for making her the number one suspect in the case.

The 31-year-old widow said she wanted to recover from a case of "nerves" before facing trial in Fairbanks, Alaska, in March on a murder charge in the death of auto distributor Cecil Wells, 51. She denied the Federal Government's charge that she and jazz drummer Johnny Warren conspired in the killing.

She said she chose Los Angeles for a rest because it is "always cold" in Alaska. She is at liberty under $10,000 bond pending the trial.

Mrs. Wells blamed a combination of circumstances for what she called the unjust charge that she killed her husband, but placed the major responsibility at the door of Fairbanks Police Chief E. V. Danforth, who has since been removed, she said.

"He had the case all solved when he walked in . . . his theory went out the window when they found out my husband had been shot, not beaten to death.

"They knew I couldn't have gotten rid of a gun because I was trailing blood everywhere."

Her version of Wells' death is that two men she did not know came to their Fairbanks apartment last October and killed him. She said she was beaten severly with a flowerpot and the "next thing I remember, I think, was trying to get off a stretcher."

She added: "They haven't anything to connect me with the murder except that I was there—and beaten up terribly."

Mrs. Wells also denied the Government's charge that she had a love affair with Warren, who told police he met her at a Fairbanks club where he was playing when she gave him "the eye."

13c 1953

ALASKA

Widow and Her 'Lover' Held In Alaska Killing

Both Arrested In The U. S.

From Wire Dispatches

Seattle, Nov. 5.—The killing of a wealthy Alaska auto dealer entangled his attractive blond widow and a Negro drummer in a police web today half a continent away from the scene of the crime.

Both Mrs. Diane Wells, 31-year-old mother, and Johnny Warren, former member of a club band in bustling Fairbanks, were charged with first-degree murder in the death of Cecil Wells, 51, president of the Alaska Chamber of Commerce.

Mrs. Wells and the 33-year-old Warren have denied the charge, returned Tuesday night by an Alaska grand jury. Mrs. Wells was under arrest here, while Warren was being held at Oakland, Cal.

Wells was killed October 17 at Fairbanks.

Bond was set at $5,000 in Fairbanks for Mrs. Wells, the fifth wife of the businessman, who left an estate estimated at half a million dollars.

The bail was posted here this afternoon and Mrs. Wells was released on condition that she appear before the United States District Court at Fairbanks on or before November 23.

Her attorney, Wallace Aiken, said she planned to fly to Fairbanks as soon as she is released to fight to clear her name.

Judge Harry Pratt said at Fairbanks no bond has been set for Warren because no application has been made.

Claims To Be Her Lover

At Oakland, police inspectors James Mangini and Don Ainsworth said Warren had told of a close acquaintanceship with Mrs. Wells.

They said he related a story of having first met her while he was playing in the band at the Fairbanks Country Club and of having met her several times afterward.

Mangini said the musician claimed he had become Mrs. Wells' lover.

Associated Press Wirephoto

MRS. DIANE WELLS

Denies slaying husband

"We asked Warren whether he had had intimate relations with Mrs. Wells," Mangini said, "and he replied that he had."

The officers said Warren also acknowledged he was in the lobby of the apartment house in which the Wells lived at about 3 a.m. of the morning when Wells was shot in his bed. Warren said he was hoping to contact a passenger for his drive to California that day.

They said Warren admitted ownership of a .38-caliber pistol, but said he had sold it before the day of Wells' shooting. Fairbanks police said a bullet of that caliber was found under Wells' head. They said he made the tement in a 19-hour sessix statement in a 19-hour session last week, before his indictment and arrest.

Mrs. Wells, in federal custody, had no comment on the case today, although she posed, under obvious emotional tension, in a Courthouse corridor for photographers.

Told Jury of Intruders

She told a reporter after a preliminary hearing yesterday:

"I previously gave a full statement to proper authorities in Fairbanks and testified before a coroner's jury. I do not wish to make another statement at this time."

In Fairbanks, she told officials and a coroner's jury of two intruders in the double-suite apartment on the eighth floor before dawn.

She said she awakened, after an evening with her husband at a theater, to find a man in the bedroom. As she called her husband, she said, the man "made for him" while she tried to flee in search of help.

Face Was Bruised

Then, she said, a second man grabbed her, clapped a hand on her mouth, and struck her over the head with a flower pot.

Her face was bruised and her eyes swollen when police were called.

After returning from a hospital, she told police her husband had kept $1,000 in a secret drawer in the living room and that it was gone.

Mrs. Wells was arrested as she stepped from an air liner from Alaska here Tuesday night with her 4-year-old son. The grand-jury indictment was returned after her departure from Fairbanks.

Courier-Journal

P.9 13c.

Louisville Ky

Fri. 11-6-53

Blonde Widow Returned To Alaska For Murder Probe

FAIRBANKS, Alaska — (INS) — Beautiful Blonde Diane Wells flew to Fairbanks, Alaska, with her four-year-old son Friday to map a defense against federal charges that she and her Negro jazz drummer boy friend climaxed a love affair last month by murdering her wealthy husband in his sleep.

In San Francisco the musician, Johnny Warren, 33, told details of a six-week romance with Mrs. Wells but stoutly denied any complicity in the murder of her husband, Cecil, 51.

Wells, a wealthy automobile distributor and civic leader, was shot to death in bed on October 17. His beautiful young wife was beaten at the same time and stumbled down the hall of their apartment house crying that two robbers had shot her husband and beaten her.

Wells' empty wallet was found in the hallway outside the apartment.

MRS. WELLS SILENT

On advice of her attorney, Mrs. Wells was silent on the whole affair, refusing to talk about either the murder or the romance.

She was arrested in Seattle Tuesday when she arrived by airplane from Fairbanks with her son.. Yesterday she was released on $5,000 bond and immediately made arrangements to fly back to Fairbanks to begin work on her defense. She must appear in the Alaska District Court on or before November 23.

The Federal Grand Jury indictment against her was handed down while she was en route to Seattle.

In San Francisco the jazz band drummer was far less reticent. Warren told a lurid story of an illicit romance with the beautiful blonde who, Warren said, first gave him the eye while she was dancing with her husband at the Fairbanks Golf and Country Club.

WARREN'S STORY

Warren said he telephoned Mrs. Wells the next day and was invited to her apartment "for a drink." He said his white wife was in Fairbanks with him but that they were not getting on very well at the time.

In the first telephone talk, Warren said, Mrs. Wells "told me I had disappointed her quite a bit." He continued:

"I asked her how and she said that when she saw me a couple of years before working in another club, she was interested in me. But when she learned I was married, she decided to forget about who I was."

Warren said he had several drinks with Mrs. Wells at her apartment and went back to see her the next afternoon.

"We stayed at her place a few minutes," Warren continued, "and she said she was a little uneasy staying there."

The musician said he then arranged to use the apartment of a friend who worked with him in the band that "quite a few times after that I saw her in this apartment."

Asked directly if he and Mrs. Wells had been intimate, Warren said, "Uh, when she came to that apartment that, uh, I mentioned was someone else's—yes."

Warren admitted that he was in the northward apartment building in Fairbanks at the approximate time that Wells was shot, but claimed he was there to see a stranger about an automobile ride down the Alcan Highway to the United States.

World

Atlanta

Ga.

Sat 11-7-53

Wife and Drummer Held in Slaying of Wealthy Husband

World-Telegram

New York, N.Y.

Thurs. 11-5-53

Blonde, Negro Met At Alaska Dance

By the United Press. p. 1

SEATTLE, Nov. 5.—A willowy blonde and a Negro drummer were held today on charges of slaying her millionaire husband in Fairbanks, Alaska.

13C

Mrs. Diane Wells, 31, was arraigned on a first-degree murder charge yesterday shortly after she arrived here from Fairbanks with her 4-year-old son, Marquam.

The drummer, Johnny Warren, 33, was held in jail in Oakland, Calif., awaiting a removal hearing Tuesday.

Warren denied any knowledge of the slaying in a 20-page sworn statement.

The husband, Cecil Wells, 51, automobile dealer and president of the all-Alaskan Chamber of Commerce, was found dead in his apartment Oct. 17, with a .38 bullet wound in his head.

Says He Sold Pistol.

[Warren said he owned a pistol because he was "afraid of Wells," then denied knowing him, the Associated Press reported. Warren said he sold the pistol, a 38-caliber, before the shooting.]

Mrs. Wells had been beaten.

At Oakland, Police Inspector James Mangini said Warren's statement indicated that he met Mrs. Wells while playing in an orchestra on Labor Day at the Fairbanks Golf and Country Club.

"We asked Warren whether he had had intimate relations with Mrs. Wells," Inspector Mangini said, "and he replied that he had."

Warren said he first saw Mrs. Wells while she was dancing with her husband at the country club.

Caught Her Signals.

"Did you feel that Mrs. Wells was making advances from the floor that you would interpret that she might appreciate any attention you might show her?" Inspector Mangini said Warren was asked.

MRS. DIANE WELLS.

"Yes, she made advances in my direction on several occasions," Warren replied.

Warren told the officers he had not met her Mrs. Wells before that time but "I had known who she was several months before by talking to people in the club where I was working."

Warren said he later called her on the telephone.

He said Mrs. Wells invited him to her apartment to have a drink.

Never Met Husband.

Warren told the officers he was not in love with Mrs. Wells. He also said he had not met her husband and said "as far as he knew Wells did not know they were going together," according to Inspector Mangini.

The officer said Warren's wife, who is white, was still in Alaska.

World-Telegram

At a hearing before U.S. Commissioner Cameron Wolfe yesterday, in which Warren was formally charged with first-degree murder, the musician's attorney asked that the case be put over until Nov. 11.

Thurs. 11-5-53

Wife Semi-Conscious.

Police were called to the Wells apartment on the eighth floor of Fairbanks' biggest building early in the morning of Oct. 17 after Mrs. Wells, badly beaten and semi-conscious, crawled from the apartment to that of a neighbor.

She told police then that two men entered the apartment and beat her with their fists and slugged her with a flower pot. She said she was unconscious and did not see the attack on her husband.

13C

husband was in the lobby.

The time of Wells' death was set between 2 and 4 a.m.

Oakland police said Warren admitted being in the lobby of the apartment building between 3 and 3:45 a.m. on the day of the murder to contact a man who wanted a ride with him down the Alaskan Highway to Oakland. He did not know the man's name, he said.

Warren added he left Fairbanks that same day in his car for Oakland.

CRIME:

Drummer and Blonde

In the early morning hours of Oct. 17, a badly beaten and semiconscious Diane Wells dragged herself into a neighbor's apartment in the luxurious Northward Building in Fairbanks, Alaska. Mrs. Wells told police, who were quickly summoned, that two men had entered her apartment and beaten her. When she regained consciousness, she said, she found the body of her husband, a wealthy man active in Alaskan civic and business affairs, lying on the bed with a bullet through his head. Police attributed the crime to robbery and murder.

Newsweek pp. 38, 39

Nov. 16-53

Last week, a Fairbanks grand jury indicted Mrs. Wells on a first-degree murder charge. Indicted with her was Johnny Warren, a Negro musician, who had been employed as a drummer with the dance orchestra at the Fairbanks country club. Testimony before the grand jury was that Mrs. Wells and Warren had been lovers for some weeks prior to the murder of Cecil Wells. Mrs. Wells, who was flying from Fairbanks to Seattle at the time the indictment was handed up, surrendered to police and was released on $5,000 bail. She flatly and angrily denied both the murder charge and the allegations of infidelity.

Country-Club Dance: But when Warren was picked up in Oakland, Calif., he talked freely to police. While he denied any complicity in the murder, the unsupported story he told of his relations with Diane Wells was a lurid one. At a Labor Day dance at the country club, Warren told police, Mrs. Wells—beautiful, blond, and 31—winked at him as she danced by with her husband, 51, and reputedly one of the richest men in the territory. The next day, Warren said, he called her up.

"She asked me if I'd like to come to her apartment for a drink. I told her yes, providing it was safe. I knew she was married. She said it was safe, so I went there and had a few drinks . . . She said she was a 'little uneasy.' I was uneasy too." According to Warren, they began meeting at a fellow musician's apartment.

The day before the murder, Warren said, he told Diane that he was leaving Alaska and was going to Oakland to visit his sister. By his own admission, he was in the lobby of the Northward Building at approximately the time that Cecil Wells was murdered. But he insisted that he was there to meet a man, whose name he did not know, who had phoned him and offered to drive back to the States with him, sharing expenses. The man, Warren said, never showed up.

Newsweek Nov. 16-53

pp. 38-39

Two Coincidences: Warren left via the Alcan Highway that morning with a female friend and his adopted daughter. That he left so shortly after the murder was a coincidence, he told police. So, too, was his disposal of a .38-caliber automatic—the caliber of the murder weapon—before leaving Fairbanks. He said he sold it several days prior to the murder.

"Sure, I got mixed up with that woman," Johnny Warren repeated. "But I had nothing at all to do with killing that man."

Meanwhile, police learned that Mrs. Wells and her 3-year-old son were the heirs to one sixth of the Wells estate—estimated at upwards of $500,000. She was Wells's fifth wife.

Last Friday, Diane Wells flew back to Alaska with her boy, prepared to stand trial. Through her attorney, she said: "I have returned to Fairbanks to clear my name and my son's name. I do not have any comments to make at this time relative to Johnny Warren's statement. Certainly any implications are unfounded."

Body Found In Weeds By Two Unidentified Men

13c Ark

PINE BLUFF—Fortune Crowder, deputy sheriff for Jefferson county was shot to death here early Monday morning as he was driving toward his home after completing an assignment, according to Sheriff Allen Nixon. The deputy was shot in the residential section of the city. Sheriff Nixon describes the murder of his deputy, as "the most brutal murder in this county in many years." And up to press time, no clues had been uncovered in the slaying.

The sheriff said Crowder, who was 39 years old, was found in a clump of weeds near Twenty-first and Ohio streets by two unidentified men. His car, its light and ignition still on was near the scene.

State Press

According to Sheriff Nixon, the deputy was killed shortly after midnight when an assailant pumped two shotgun charges into his body. One charge knocked a hole thru the door just above the glass. The other took the back of his head off.

P. 1 Little Rock, Ark.

A reward of $100 has been posted by the sheriff's office to anyone turning information over to officers leading to arrest and conviction of the killer.

Fri. 10-9-53

Crowder has been employed by the sheriff's office for several years. He worked as a deputy in 1940, and later took other employment. He rejoined the sheriff's department about 18 months ago.

Marshall Shot By Ark. Deputy

13c Ark

Defender

GOULD, Ark. A white deputy shreiff last week shot fatally a Negro marshall in what police termed a case of mistaken idenity.

p. 2

Dead is Willie J. Westom, 35, deputy night marshal here.

Chicago

Desha County Sheriff Robert Moore said Dayton Allison, his deputy, fired the fatal shot. The shooting occurred in Lincoln county, just across the Desha county line.

Sat. 11-7-53

Mystery Surrounds Death of Pine Bluff Negro Deputy Sheriff

13c Ark

PINE BLUFF, Ark. — (ANP) —Mystery surrounded the fatal shooting of a Negro deputy sheriff here last week.

Allen Nixon, sheriff, described the fatality as "the most brutal murder in this county in many years."

Black Dispatch

The victim, Fortune Crowder, 39, was driving to his home after having completed an assignment. He was found in a clump of weeds by two unidentified men. His car, its lights and ignition still on, was nearby.

P. 1

Sheriff Nixon said no clues had been found in connection with the murder.

Oklahoma City Okla.

In describing the murder of Crowder, Nixon said in part:

"One charge knocked a hole through the door just above the glass. The other took the back of his head off."

Sat. 11-7-53

A $100 reward has been posted for information leading to the arrest and conviction of the killers.

Shooting Of Negro Marshal Ruled Accidental

13c Ark

GOULD, Ark. — (ANP) — A white deputy sheriff last week shot fatally a Negro marshall in what police termed a case of mistaken identity.

Call

Dead is Willie J. Westom, 35, deputy night marshal here.

p. 23

Desha County Sheriff Robert Moore said Dayton Allison, his deputy, fired the fatal shot. The shooting occurred in Lincoln county, just across the Desha county line.

Kansas City Mo

According to Sheriff Moore, this is the way the shooting happened:

Allison was patroling highway 5 looking for a Negro suspect when he saw Westom walking along the road. Allison stopped his car and called to Westom. The marshal, not recognizing Allison, drew his gun. Allison then fired.

Fri. 11-20-53

Lincoln county coroner, Dr. E. M. Gardner, returned a verdict of justifiable homicide.

No charge will be made against Allison, a law officer said.

13c 1953 Connecticut

I Talked to God!

...and Then I Told Police My Husband Fled After Killing Mrs. Penny Evans

B-U-L-L-E-T-I-N-!

WESTPORT, Conn.—With arraignment and inquest scheduled for this week, William Davis is not expected to pay the supreme penalty in the slaying of Mrs. Penny Evans, white. The Courier has learned that the state plans to accept Davis' story that he did not rape the socialite, but the act was committed with "mutual consent." 13c Conn

By EVELYN CUNNINGHAM
(Staff Correspondent)

STAMFORD, Conn.—I looked into the heart and the soul of a crippled, God-fearing wife and mother today (Saturday). I learned of the struggle she carried on with her conscience as she was forced to make the biggest decision of a confused life.

Courier P.1 Pittsburgh Pa

Dat 3-7-53

Handyman Bill Davis, charged with the slaying of blonde Mrs. Penny Coats Evans in Stamford, Conn., is pictured with his crippled wife, Dolly, and their son, George, 6.

And I discovered why unhappy, crippled little Dolly Davis, 26-year-old wife of handsome handyman, Bill Davis, who made the fateful telephone call which sent police of an entire nation searching for the man she had promised to "love, honor and obey."

Because . . . when the final decision had to be made . . . Dolly turned back to her Bible and the teachings of the Christ-child: "A Little Child Shall Lead Them . . ."

"I couldn't bear the thought of that little baby boy being in that big house all alone, with nobody to protect him.

"That's why I called the police and told them that I thought my husband had killed Mrs. Evans."

Mrs. Davis' husband, William, was arrested last Wednesday night in Newark, N. J., following a search that took police through Connecticut, Brooklyn, N. Y., and Newark, N. J. Davis readily confessed slaying Mrs. Penny Coats Evans, 30, estranged wife of a Yale graduate and one of the nation's reigning beauties. Her husband is wealthy Montgomery Evans 2nd, heir to a banking fortune.

• • •

MRS. DAVIS told this reporter Saturday that her first thoughts . . . on knowing of the tragedy, were for Mrs. Evans' 2½-year-old son, Montgomery 3d, whom she called Tertius.

"All alone in the house," Mrs. Davis told me, "he might have fallen and hurt himself. He might have gotten to the stove and turned the jets on . . . or found some matches to play with."

According to police, Davis gave this version of the killing:

While at Mrs. Evans' home in Westport, helping her with some packing, both had consumed a pint of whiskey. Davis asked for an increase in pay, saying he needed extra money to repossess his car, which had been repaired. Mrs. Evans refused. They quarreled. At the height of the dispute, Davis struck her. She threatened to call police. In a panic, he garroted her with an electric clock wire. 13c

Mrs. Davis' story continues:

"When Bill came home, he told me to pack and take our son to Philadelphia. This is our original home. He then told me what he had done, and left the house."

It was then that Mrs. Davis counseled with herself and her God. She made her decision; called the police . . . who went to the Evans' home. There they found Mrs. Evans dead . . . clad only in a brassiere and a sweater.

Little Tertius, unharmed, told police:—"William put mommy to sleep."

• • •

MRS. EVANS told me Saturday that she had last talked with Bill the night before in Bridgeport, where he had been taken, because there is no jail in Westport.

"He told me," she said, "that he had been 'going' with Mrs. Evans ever since the second time he had been to her house to work. He was very remorseful. He cried . . . and I cried, too!

Mrs. Davis told me she had no bitterness in her heart against anyone.

"I'm going to stand by Bill." she added. "He's my husband. Maybe love is blind . . . but Bill's not bad . . . he's NOT bad!"

There was no bitterness, either, against Mrs. Evans.

"I always thought she was my friend. I though she liked me. But she must not have been a nice woman.

"If a lady acts like a lady," she philosophized, "then she's treated like a lady. A man doesn't insult a real lady. Mrs. Evans, I can see now, was a strange woman.

"She lived alone . . . and isolated. She didn't have any friends and no outside interests. No one called to ask her to tea or to the movies. Women like that are either very good women or—well, you know."

• • •

MRS. DAVIS revealed that Bill, also, had expressed real concern for Tertius, when she talked with him in jail. Told that the youngster was in the custody of Westport welfare authorities, he appeared relieved.

Dolly and Bill were married in Philadelphia in 1946. Both were constant church goers and had gained some slight recognition for their musical talents.

Dolly played the piano . . . Bill had an excellent tenor voice. They performed at dozens of churches and gained a local reputation as outstanding gospel singers.

Then domestic troubles began, Dolly said, when they moved to Brooklyn some two years ago. First, there was friction between Dolly and Bill's grandmother, Mrs. Anna Reid, also a cripple, and now in Kings County Hospital.

There was also some problem about Jennie Allen, 24, with whom Bill had "taken up" and with whom Bill was apprehended in Newark.

"That's the reason we came to Connecticut," Mrs. Davis told me. "We got a nice job with a woman, sleeping in, and things were better than ever. Bill and I were happy and we didn't have any problems. We made lots of plans about buying a house."

BILL AND DOLLY'S son, George, 6, has been taken to Philadelphia to live with Bill's sister. Mrs. Davis is staying with friends until after the trial.

"After that," she said, "I just want to get a job . . . take care of my son. I'm going to study practical nursing. Maybe some day, I can still get the house.

Intelligent and well spoken, Mrs. Davis places profound trust and faith in God. Restless and confused, she drove back to New York with this reporter, "just to go to a show . . . or walk down Times Square . . . and get real tired, so I can go to sleep."

She spoke kindly of everyone . . . "police and detectives who have been so nice." Life as she xpresses it, "has reached rock bottom. There is only one way to go from here."

Blame Society Ban For Tragedy

WESTPORT, Conn.—The tragic story of how rebuffs from New England society drove a wealthy and lonely Westport woman into the arms of her handyman, and finally to her death, unfolded here this week.

William M. Davis, the 29-year-old handyman, following his arrest Friday in Newark, N. J., admitted the fatal electric clock-cord strangling and stabbing of Mrs Senada "Penny" Coates Evans, former socialite, early last Wednesday morning.

Davis, who waived extradition and was returned here, was found cowering in a bed in Newark, two days after the almost nude body of Mrs. Evans was found in her home here.

The accused man told police that he and Mrs. Evans, 30, had been intimate on occasions, and that they had relations shortly before he lost his temper and strangled and stabbed her.

Davis allegedly told police that he informed Mrs. Evans that he needed $54 to meet a note on his automobile. After the couple had sexual relations, Davis said he asked Mrs. Evans for the money again, and she replied: "I've paid you already," allegedly referring to their intimacy. Davis said he became enraged at this and struck the woman, then stabbed her with a knife and wrapped the cord about her neck.

Davis denied raping the former socialite, insisting that it was mutual consent. Police Sunday were reported to be convinced that he is telling the truth.

Bloody Knife Found

A bloody kitchen knife was reportedly found on the bedroom dresser. The bloodspattered wall bore the imprint of a man's hand, police said, and five knife punctures were found in Mrs. Evans' neck. Her two-year-old son, Montgomery Evans III, was found sobbing hysterically behind the door of his nursery.

The killer's wife, Mrs. Dolly Davis, who aided in her husband's capture, pledged to "stick by him."

"I didn't turn him in because I wanted to betray him," Mrs. Davis declared in an interview Saturday at the home of a friend in Stamford. "I knew they would get him in the end. And I didn't want him to be hiding and finally hunted down like a dog.

"I know it isn't right to speak bad of the dead," she continued, "but she was as much to blame as my husband was. Men are weaker than women."

Mrs. Davis said she and her husband were married in 1946, and shortly afterwards he was sent to prison for two-and-ahalf years on an assault charge. "I went to see him every visiting day," she said, "and I was there when he was released. I don't think I'll be there this time, because I don't think he'll be leaving."

Son Sent Away

The slayer's six-year-old son has been sent to live with his relatives in Philadelphia. Mrs. Evans' two-year-old son, whom police believed witnessed the slaying, unwanted by his father, is now a ward of the welfare department.

Mrs. Evans was estranged from her wealthy socialite husband, Montgomery Evans II. Davis told police he met the woman shortly before Christmas, during a search for work. He declared his wife, Mrs. Evans and the dead woman dined together in the latter's home last Friday.

Mrs. Davis told police that Mrs. Evans frequently phoned her husband but she thought the slain woman only wanted him to work. She said she had no idea a love affair was going on between them.

Mrs. Davis, who was employed by Mr. and Mrs. William Black of Westport, said she was going to quit her job. Black is said to own Chock Full 'O Nuts Corp. in New York.

The state was undecided Sunday as to what indictment to seek against Davis, though he is not expected to get the death penalty. He was to be arraigned Monday following an inquest in Bridgeport.

To demand the death sentence in Connecticut, the state must prove that a murder was premeditated, or that rape preceded the slaying.

Once Beautiful

Mrs. Evans, once described as a "beautiful blonde," was former resident of Oklahoma City. When she and her husband came to Westport they were immediately snubbed by top society figures. The couple had been ordered never to return to Greenwich, Conn., because of drunken behavior. The Evans' had been separated since last year. Frustrated, Mrs. Evans is said to have turned to the companionship of people like the Davises, "the only kind of people who were nice to her."

Walter White executive director of the NAACP, in a statement in Sunday's Bridgeport Sunday Herald, urged citizens not to "condemn the Negro race" for one crime.

13c

P.1

53

Slayer Scheduled To Be Electrocuted Misses Death In Chair By 5 Minutes

By JOSEPH A. OWENS

HARTFORD, Conn. — George M. Dortch, convicted slayer missed his rendezvous with death this week by five minutes. The 33-year-old native of Westerly, R.I. who confesses to the slaying of Mrs. Doris Sebastain of Pawtucket, was slated to be executed in the electric chair at the Connecticut State Prison at Wethersfield.

While the onetime U.S. Army war veteran was speaking what he believed to be his last words to the Rev. J. Bernard Gates, prison chaplain, Gov. John D. Lodge called Warden Ralph H. Walker and ordered the execution postponed.

2 Month Reprieve

Warden Walker told the newsmen and witnesses of the telephone call at 10:29 p.m. He said, "The governor has told me that he is in possession of new evidence and has ordered the execution held up because he feels everything possible should be done to give Dortch a fair chance."

Actually the postponement, which developed into a two-month reprieve the following day, came about through a technicality in the state laws. Attorney Francis F. McGuire of New London, who has represented Dortch throughout the four year ordeal, has pointed out to Governor Lodge that when he attempted to win commutation of the death sentence for his client before the Board of Pardons the presence of Supreme Court Justice Ernest A. Inglis on the board has made their ruling illegal.

McGuire told the governor, "The presence of Supreme Court Justice Ernest A. Inglis, a board member, made it improperly constituted when the denial was made. General statute 3019 prohibits any judge who has tried a case in court from sitting on the board in connection with the same case." Judge Inglis was one of the five Supreme Court justices who heard the Dortch appeal.

The defense for Dortch also revealed that it has discovered new evidence in the "jealous rage" stabbing. Attorney McGuire claims that he has uncovered proof that Dortch was hospitalized about two hours after the fatal stabbing, Sep. 3, 1949.

Though he has not revealed the name of the doctor who administered the treatment, McGuire states that his client was treated for stab wounds.

If You Do Wrong

Meanwhile, the condemned slayer has remained silent, save to say, "If you do wrong, you have to pay the penalty." Dortch has even refused to plead his own case to Governor Lodge.

George's father, a refuse collector in Westerly, R.I. has pleaded for mercy for his "junior" for the past four years. "It would have been better if he had been killed in the war, than have him die in the electric chair," sobbed the elder Dortch the night of the scheduled execution.

When the postponement came he said, "Our prayers have been answered. Back home everyone, even the 'whites' have been praying for my boy."

The murder of Dortch's girl friend, Mrs. Dorothy Sebastian, was one of the bloodiest ever recorded on police files in Connecticut. She was stabbed 23 times.

Planned To Marry

After his discharge from the U.S. Army, Dortch divorced a war-time bride and associated himself in business with his father. He met Mrs. Sebastian and fell in love.

She promised to divorce her husband and marry Dortch. In 1947 he purchased an engagement ring for her and began buying furniture for their home. And though not legally married it was a known fact they were living together.

Dortch was convicted, Feb. 23, 1950 and sentenced to die the week of June 22, 1951. He received his first stay of execution pending an appeal to the Supreme Court of Errors. The appeal was turned down last December and he was re-sentenced to die this week.

P.3

NEGRO TERMS HIMSELF LOVER OF DEAD WOMAN

Describes Incidents Leading To Her Slaying

BRIDGEPORT, Conn., May 13.—(UP)—William M. Davis, 29-year-old Negro psalm-singing handyman, described himself to a Superior Court jury Wednesday as a lover of the woman he is accused of strangling in her bed.

Davis told the jury of seven women and five men he had been intimate with Mrs. Penny Coates Evans of Westport, estranged wife of a Philadelphia banking heir, "seven or eight times" during the three weeks he had worked for her.

The state charges Davis criminally assaulted and garroted Mrs. Evans with the cord of an electric clock on Jan. 26, after they had been drinking and argued over his pay.

Davis described the incidents leading up to the slaying, and testified that "I remember snatching the clock and winding the cord," and "swinging the knife," but he did not admit he had slashed or choked her.

During the arguments, he said they grappled on the bed and struck each other, and "it was just like a domestic quarrel."

Davis said he was cooking steaks for dinner when Mrs. Evans came into the kitchen and invited him, "Let's go into the other room." He said they went to the bedroom and that "I believe I assisted her" to take off her clothes.

"Did you become intimate with her?" he was asked.

"Yes," he replied.

Davis said that Mrs. Evans had been drinking the afternoon she was killed. He said he had had nothing to drink until she induced him to join her.

5-14-53

P.38

Handyman Lover Bares Intimate Life With Socialite At Murder Trial

13 F

BRIDGEPORT, Conn.—The fate of William M. Davis, jr., 29, ex-convict, handyman and former church singer, accused of raping and slaying socialite Mrs. Penny Coates Evans in the bedroom of her Westport home last Jan. 26, was expected to be placed in the hands of a jury of seven housewives and five men late Tuesday or early Wednesday.

Davis testified at his murder trial last week that he had intimate relations with Mrs. Coates, 39, before she was strangled with an electric clock cord and left nude.

5-23-53

Mrs. Coates was the estranged wife of Montgomery Evans II, a New York and Philadelphia banking heir, and mother of a two-year-old son.

The accused man said Mrs. Evans employed him as handyman about three weeks before her death. He said he was intimate with her on the second day he worked for her and that they were intimate "seven or eight times" after that.

13 C

On the day of the killing, Davis said he went into the house about 4 p.m. and found Mrs. Evans with a "drink in one hand and a letter in the other." He had a number of drinks with her, he said, "just to be sociable."

"The conversation got pretty bad," said Davis, and they had intimate relations. Then she gave him a key to the house, he said.

The ex-convict claimed he strangled her with the cord of an electric clock in panic when she threatened to call police police and tell them he had raped her.

FAINTS ON STAND:

'Help Me Lord,' Cries Davis' Wife

By JAMES L. HICKS

BRIDGEPORT, Conn. — The tall, lanky prosecuting attorney looked at the short, frightened, colored woman on the witness stand and said:

Afro-American

"Now Mrs. Davis, you were the one who first called police and told them that you suspected your husband had murdered Mrs. Evans, weren't you?"

P. 2

The woman in the witness chair struggled to speak. She leaned forward toward the microphone. Her face muscles contorted and her lips twitched as she struggled to bring the words out. The mind was willing—but the flesh was weak.

Baltimore

A hush fell over the courtroom as she struggled with herself there in the witness chair.

13 C

Blood Tingling Scream

Finally, God-fearing, church-going Dolly Davis could not stand it any longer and in her desperation she turned to the one Friend she knew she had in the courtroom. As she did a blood tingling scream rang through the courtroom and she shouted:

5-23-53

"Help me Lord, Help me—I'm trying so hard!" Then she slumped down in the witness chair with her chin on her chest and fainted away.

It was one of those things that no one wanted any part of. The tall, lanky prosecutor backed away from the witness stand. The all-white jury of seven women and five men suddenly assumed an air of guilt as if they had committed a crime.

And the man who was responsible for it all, William Davis, self-confessed murderer, and husband of Dolly Williams, had to be held in his chair to prevent him from going to the aid of his wife.

Had To Be Done

But if it was something that no one wanted to do, it was also something that had to be done. For this was murder—and the law was taking its course.

William Davis had confessed to the jury that he killed Mrs. Senada Evans on the night of Jan. 23. After the killing he had come to Dolly, told her of his crime, and told her that he was going away forever.

Dolly had begged him not to go away—to stay and face the music—but William had kissed their six-year-old son, advised her to get a divorce and forget him—and then took off for parts unknown.

Dolly struggled with her love for William and with her God-given knowledge of what is right and wrong. The right prevailed and she called police, telling them of the murder.

Knew He'd Be Caught

"I didn't want to betray him," she said later. "But I did it because I knew they would catch him in the end. I didn't want him to be running away and finally hunted down like a dog."

Everyone in the courtroom believed Dolly. She had stuck with William for 2½ years of prison life back in 1946 when he had been convicted of a "strongarm robbery" in Philadelphia.

She had visited him on every visiting day at Homesburg Prison and she had been waiting to help him start a new life when he came out.

That new life took them to Brooklyn and then to Bridgeport and finally to the home of Mrs. Evans.

Called At All Hours

She had told the court of how Mrs. Evans would call at all hours of night for her husband to come to her house, but she said she felt Mrs. Evans wanted William to do some work, and she didn't mind.

And she had sat in court and heard William testify to his unfaithfulness to her—how he had had intimate relations with Mrs. Evans on the second day of his employment with her, and how he had done the same thing at least "seven or eight times."

And Dolly Davis had sat there in that same courtroom with her God and heard police testify that William had been in bed with her best friend, Jennie Allen, when he was captured in Newark.

But there was faith in Dolly Davis. Faith in people and faith in God.

Her Best Friend

Before she fainted she told the court that Jennie Allen was her best friend. And she indicated that she didn't believe there had been anything between Jennie and William.

And she told reporters she didn't believe her husband had attacked Mrs. Evans. She recalled those phone calls from Mrs. Evans to William.

"I just thought she wanted him to work for her" she said. "Men are weaker than women. A woman can usually keep such situations from arising."

The court recessed after Dolly Davis fainted. But when it convened again, Dolly was ready with her God to take the stand again. There is nothing inconsistent about Dolly Davis and her love. She was still for William.

A 'Good . . . Gentle' Man

In faltering tones she bravely told the court that he was a "good, gentle, even tempered man."

When the prosecuting attorney asked her if he had ever struck her she quickly said, "Oh, no!"

Sometime in the late afternoon they told Dolly she could step down from the witness stand. She got up mechanically, as if she were in a daze. Everyone expected her to leave the court then after all she had been through.

But they did not reckon with the love and devotion of Dolly Davis.

She walked across the courtroom toward the door that leads out—and then sat down in the crowd of curious people who had come to watch the drama of real life which is always more interesting than fiction.

Dolly Davis sat down—to be there if her man needed her again!

'Made Love To My Employer'—Davis

Handyman Clings To Story Blonde Was His Girlfriend

By JAMES L. HICKS

13 C

BRIDGEPORT, Conn. — A withering cross-examination by an experienced State attorney, Thursday, failed to shake a handyman's contention that his white mistress - employer was also his lover before he murdered her in her swank Westport home last Jan. 26.

The handyman, 29-year - old William Davis, a native of Philadelphia, was on trial for murder and the state was seeking to prove that he killed his employer, Mrs. Senada Evans because he had forcibly made love to her and was afraid that she would tell police.

Afro-American P. 1

Davis, who has not denied killing the 30 - year - old Mrs. Evans, steadfastly contends that the strawberry blonde, former showgirl) willingly had relations with him at least eight times, including the night on which he strangled her to death.

Called Her 'Penny'

Thursday marked the second day on which Davis took the stand in his own behalf, and the second day on which he denied that he ever forced his intentions on "Penny" as he affectionately called Mrs. Evans.

Time after time State's Attorney Lorin Willis used every legal maneuver he knew to force Davis to say that he had attacked Mrs. Evans rather than she had willingly submitted to him.

5-23-53

But each time the question was put, Davis insisted that Mrs. Evans had made the overtures and had begged him to go to bed with her.

Cites Newark Statement

The state attorney centered his attack around a statement which Davis made to Newark police at the time of his arrest in which he had said he struck Mrs. Evans because she threatened to call police.

He said he was afraid if she did this she would tell police that he had attacked her.

Willis asked Davis why he felt that Mrs. Evans might claim that he had attacked her.

"I assumed that she would do that," he said.

"Why did you assume she would do that," Willis asked.

"Because I was a colored man and she was a white woman," Davis answered.

Seven Or Eight Times

"You say you assumed that and yet you have sat here and told this court that she had relations with you seven or eight times," Willis said.

"That's right," said Davis.

Willis then asked Davis if Mrs. Evans had submitted to him as he claimed, would it not indicate that she did "not draw the color line."

Davis answered that the Texas-born actress never drew the color line.

Willis then seized the murder knife which Davis had used on Mrs. Evans and stood within a foot of where Davis sat on the witness stand.

"Is it not a fact," he asked, "that you killed this woman with this knife because you wanted to silence her lips forever so that she could never tell anybody that you attacked her?"

"That is not a fact," Davis said. "I never meant to kill her and she was not attacked."

Willis then pounded away at Davis, standing over him all the time. He asked him if it were not true that Mrs. Evans had been so drunk that she was unconscious when he had relations with her. Davis said she was not unconscious and had not had any more whiskey than he had.

"How much had the two of you drunk?" Willis asked. "About a pint each," Davis answered.

Nude From Waist

Then Willis went to the death room scene. He pointed to the fact that Mrs. Evans had been nude from the waist down when she was found and he asked Davis:

"Did Mrs. Evans take off her clothing?" Davis answered that he had assisted her in taking off her clothes.

"Isn't it true," Willis asked, "that you ripped off her clothing without any assistance from her because she was unconscious and didn't know what was going on?"

"I knew what I was doing and she knew what I was doing, too." Davis said.

Willis then pressed Davis for details of his actions after the crime. Davis who is claiming insanity said he was confused and did not know what happened after he killed her.

"Your memory was good yesterday," said Willis, referring to some of Davis' testimony on the stand when he had been questioned by his own lawyer.

"Some things stand out," said Davis.

"And among the things that seem to stand out in your memory is that you had relations with her on the second day she hired you," Willis sneered.

Calls It Unusual

"Yes, that stands out in my memory," said Davis. "It was very unusual."

Willis took exception to Davis's reference to Mrs. Evans as "Penny." "When did you start calling her 'Penny?' " he asked.

"I don't know exactly," Davis said. "As you can surmise it was a pretty close relationship right from the second day I went to work for her."

Willis then asked Davis whether or not Mrs. Evans had not been "frail and weak" and "terribly upset."

Things Going Backwards

"Yes," answered Davis. "Everything was going backwards for her. I could understand it from some of the experiences I had in my own life."

This remark made Willis so angry he demanded that it be stricken from the court record. It was.

Before Davis left the stand after a two-hour grilling, his lawyer, John H. Norton, asked him if he had ever had sexual relations with Miss Jennie Allen of Brooklyn, N.Y., who was found on the bed with Davis in Newark at the time of his arrest. He denied that he had.

He said he had been in bed with Mrs. Allen because there were six or seven children in the house of her relative where they were staying and they had to sleep "doubled up."

Says Davis Drunk

Minnie Richards, of Bridgeport was called to the stand next and testified that on the night of the murder Davis came to the Westport home where she and Mrs. Davis worked and that he appeared drunk.

She said he staggered into the kitchen where she was seated with his wife and said, "crazy people" and went upstairs. Later he took his wife away with him in a cab.

The next witness on the stand was Elder Little, a minister of the Zion Church of God and Christ of Stamford, Conn. He testified as to Davis' good character and so did his wife, Mrs. Lula Little.

They were followed by a Mrs. Budd, white, of the Budd Employment agency who also testified as to Davis' good character.

Under cross examination, however, all these witnesses were forced to admit that the high opinion they held of Davis had been altered by his crime.

Brother Testifies

Another witness taking the stand was Davis' brother Harvey, a 26-year-old postal clerk in Philadelphia. He was a character witness for his brother.

After several others had been called by the defense, Davis' wife, Mrs. Dolly Davis, was called. She broke down and screamed loudly in court when reminded that she had notified police of her suspicions that her husband had killed Mrs. Evans.

When she recovered she testified that Miss Jennie Allen was a close friend of the family and said Davis was a "good gentle, even tempered husband."

After this testimony she broke down again and had to be led out of the courtroom when recess was called. She later came er.

back and testified in a strong voice. When his wife screamed in court Davis had to be forcibly restrained from leaving his seat.

No Signs Of Force

A physician, Dr. Harry Phillips has testified that Mrs. Evans' body showed she had been intimate with someone before she was slain but there were no signs to indicate force had been used.

The defense also called a biochemist-toxologist to testify that Mrs. Evans was in a state of acute alcoholism the day she was killed.

Dr. Kurt Dubowski testified he made a series of tests on the body at the direction of the county coroner. He said Mrs. Evans was "in a state of acute alcoholism commonly called the confusion state."

2-23-53

Handy Man Draws Life Term For Slaying White Employer

BRIDGEPORT, Conn. — (ANP) — William M. Davis, 39-year-old handyman, was sentenced to life in prison last week for the fatal strangling of a Westport white housewife.

Davis was found guilty of first degree murder in the death of Mrs. Penny Coatus Evans, 30, but the jury of seven women and five men, recommended mercy. Judge Thomas E. Troland sentenced Davis after the jury had deliberated for four hours.

Davis took the verdict calmly, but later said, "I don't see how such a verdict could be brought in."

His wife, Dollie, collapsed and cried hysterically. Later she said she thought Davis had a fair trial. "I'm thankful, I guess, that it was not death."

World
P.1

FIRST-DEGREE MURDER

Davis is the first man to be found guilty of first-degree murder in Fairfield county and to escape the electric chair.

During the course of the trial, the court heard torrid testimony by Davis which led to his strangling of the blond Mrs. Evans.

Atlanta Ga

The defense had tried to prove that Davis was suffering from a "fear hysteria" when he swung on the young woman with whom he said he had just had sexual relations, beating her on the face with his fist and following that with an attack with a butcher knife.

Wed.
5-27-53

The fear, the defense said, was induced by her threat to call police, implying she was going to report he had raped her.

Davis turned on Mrs. Evans, he said, as she leaned across him to reach for the telephone beside the bed.

13c

She was calling the cops, he maintained, because he had just hit her during an argument over money due him but until that instant, he insisted, he wanted no trouble, wanted no fight.

Mrs. Evans was the estranged wife of a wealthy free lance writer whom she accused of being a habitual drunkard.

Killed Blonde

Handyman Gets Life

BRIDGEPORT, Conn. — "How inscrutable are the ways of God,' were the incongruous words uttered by ex-handyman William Davis Jr. as he was led away from a local courtroom after having been sentenced to life imprisonment for the murder of a blond socialite housewife with whom he had been admittedly intimate.

Courier
P.5
Pittsburgh Pa

Davis was convicted by a jury of seven women and five men for the slaying of Mrs. Senada (Penny) Evans, wife of Montgomery Evans II, Philadelphia banking heir and writer of New York and Greenwich.

Immediately following the trial Davis was spirited away in handcuffs to the Connecticut State Prison at Weathersfield at the request of Fairfield County Sheriff Platt, who asked for the move because of the high public interest in the case.

Sat 5-30-53

DAVIS HAD attributed his slaying of Mrs. Evans, which occurred shortly after they had been intimate for about the eighth time in a month, to his fear of police brutality after the woman had allegedly threatened to call the police and accuse him of rape.

Davis had testified, "Under the circumstances, I was a colored man and she a white woman." Superior Court Judge Troland sentenced him without benefit of release, ending all hopes of parole.

Man Who Slew Blonde Draws Life

Sorry It Had To Happen That Way Philadelphian Says

By JAMES L. HICKS

BRIDGEPORT, Conn. — William Davis, 29-year-old handyman was given a life sentence in Connecticut State Prison last Thursday for strangling to death his blonde white mistress on January 26 after having sex relations with her following a drinking party in her swank Westport home.

Afro American
P.1

An all-white jury of seven men and five women found the ex-choir singer guilty of murder in the first degree but recommended mercy for Davis, and Judge Troland frowned on the electric chair which Davis could have received and gave him life.

Under Connecticut law, Davis cannot ever be released from jail. He is the first man ever to be found guilty of first degree murder in Connecticut who was not given the electric chair.

Baltimore Md

Sorry For Deed

When Judge Troland pronounced sentence on Davis, the former handyman, who testified he had sex relations with the ex-dancer on the second night of his employment with her said:

"I'm sorry it happened this way. It wasn't meant to be. How inscrutable are the ways of God."

Sat. 5-30-53

He did not explain what he meant but later said he felt he had had a fair trial but that he could not understand how the jury had returned a first degree verdict.

Wife Stuck By Him

Davis' wife, Dolly, was outside the courtroom when the verdict came in. She said she was glad that he had not been given the death penalty. Mrs. Davis stuck with her husband throughout the trial despite his admissions of adultery with his former employer.

Sat-5-30-53

Davis confessed that he killed Mrs. Senada (Penny) Evans, an ex-show girl, after she refused to pay him wages.

He claimed Mrs. Evans expected him to be satisfied with sexual intercourse instead of the money she owed him for work he had done for her.

Mrs. Evans was found half nude with her throat slashed and a clock wire tightly wound around her neck.

Afro American

Black Sheep Of Family

The jury dileberated three hours and 25 minutes on the verdict. During the trial there was much public sentiment in the surrounding community for Davis.

Sat 5-30-53

Davis was the black sheep of a well known family in Philadelphia. Prior to the charge of murder he served two years for strong arm robbery in Philadelphia.

Among those testifying for Davis at the trial were two brothers, George and Theodore Davis, of 5318 Wyalusing ave., and his sister, Mrs. Mattie Ridley, 808 N. 44th st., all of Philadelphia.

13c

All Supported Brother

George is a machine operator, Theodore is an accountant and Mrs. Riddle is a librarian.

They all testified that their brother was not a quick tempered person, that he had always been mindful of the rights of others and that he was especially devoted to the church.

After Mrs. Ridley had testified as to her estimation of her brother's good character the state prosecutor, in trying to break her testimony asked her:

"You will admit now that your brother was not the good man that you thought he was, now that you know he was committing adutery all the time."

Mrs. Ridley, an attractive soft-spoken woman said: "I still think he was a Christian. Many people make mistakes."

"Your brother was far from perfect," the prosecutor said.

"None of us is perfect," replied Mrs. Ridley.

She was then asked if she felt a man who would take a knife and stick it in the throat of a woman is "a good man?"

Wasn't In Right Mind

Still refusing to turn on her brother, Mrs. Ridley said, "I don't think anyone in their right mind would do such a thing.

"You still think a man can be a Christian and do all these things?" the prosecutor asked.

"You can't hold a man responsible for his acts if he does not know what he is doing," Mrs.

13c 1953

FACING FIRST-DEGREE MURDER RAP:

McReynolds Sent To Jury In William B. Grav Killina

13c

WASHINGTON

"Pretty boy" Arnold R. McReynolds, 24-year-old former Howard U. student, was indicted on a charge of first degree murder by the grand jury, Monday.

The handsome six- footer is charged with the first-degree slaying of William B. P. Gray, 31, aggressive young businessman. The shooting, according to morgue testimony, grew out of the slain man's accusing McReynolds of having an affair with his wife, Mrs. Vera Gray.

It was brought out during the inquest that Gray went to the home of McReynolds in the 600 block, Kenyon st., nw, several times during the night of April 11 attempting to find his wife, who had left home on the morning of April 10 and had not returned.

Mrs. Gray testified that she was staying with a friend in the 1400 block, W st., nw, on the evening that her husband went to where McReynolds resided.

She said that she had told her husband, who went to Nigeria on a business trip during December, that she wanted to end their marriage. Mrs. Gray testified that she had informed her husband that she had gone out with McReynolds.

Afro-American

She also revealed that her children had told Gray that she was going out with McReynolds.

P. 8

The defendant told police that Gray had brushed past him on the day of the shooting and went into the kitchen looking for his wife, according to Det. Sgt. Roy E. Schwab.

McReynolds said that Gray threatened him and started towards him, Sgt. Schwab said. After backing up several steps, McReynolds shot his alleged pursuer, the police were told.

Sat. 5-30-53

Gray, a Howard U. graduate, was president of the Sudanental Corp., now defunct, and had returned to the U.S. from Nigeria on a mission to purchase equipment for making concrete blocks.

A Nigerian bank, it was reported, was financing the enterprise.

Mrs. Gray, a shapely diminutive woman, wore a yellow ensemble at the inquest into her husband's death. It was held a day after he was buried.

McReynolds will be arraigned in District Court, Friday.

D.C.

Insurance Man Killed By Jealous Suitor

A 41-year-old insurance agent was stabbed to death yesterday by an enraged suitor who met the agent outside the apartment of a woman both men were courting, police reported.

The victim, William R. McLaren, 41, of 1696 Lanier pl. nw, had 20 stab wounds in his face, neck, back and chest. He was pronounced dead on arrival at District General Hospital.

13c

Two hours after the slaying, police arrested a man they identified as Alphonso T. Roulack, 30, of 1903 12th st. nw. Police said Roulack admitted the stabbing.

Roulack was arrested in Garfield Hospital where he was being treated for a cut on his thumb he had incurred during the battle with McLaren, police said.

Police reported that McLaren and Roulack rolled down a flight of stairs as they fought.

Roulack was charged with homicide. A coroner's jury held him for action of the grand jury.

Post

Lieut. Lawrence Hartnett, acting chief of the homicide squad, told the following story of the slaying:

P. 9.

McLaren, an agent for the United Insurance Co., and Roulack, a stock clerk at the District Grocery Stores, Inc., warehouse, and Mrs. Ruth I. Jones, 33, of 495 C st. sw., a Bureau of Engraving and Printing employe, had been friends.

Mrs. Jones and Roulack had been going together but broke up recently. About two weeks ago, Roulack found out McLaren was having an affair with Mrs. Jones and warned him to stay away from her. Mrs. Jones and Roulack are Negroes. McLaren was white.

Monday night McLaren called on Mrs. Jones and spent the night in her apartment. Mrs. Jones originally told police he had called on her early in the morning to collect an insurance premium. Mrs. Jones has two children and is separated from her husband. McLaren does collect a monthly insurance premium from her.

Wed 8-26-53

At about 6:15 a. m., Roulack passed Mrs. Jones' apartment building on the way to work. He noticed McLaren's automobile parked nearby, and entered the building.

When he reached the third-floor landing, he saw Mrs. Jones and McLaren come out of Mrs. Jones' apartment. Roulack lunged at McLaren and started stabbing him with a pocket knife.

The two men grappled and rolled down the stairs to the second floor. Both men got to their feet, and Roulack pushed McLaren to the wall and continued stabbing him until he fell. Roulack then fled.

Mrs. Jones, who had witnessed the slaying, then called police. McLaren was still alive when police arrived, but was dead by the time he reached the hospital.

13c Post P. 9 Washington D.C.

Wed. 8-26-53

By Jack Lartz—The Washington P

Figures in Slaying: Ruth Jones (left), Alphonso Roulack

Roulack, meanwhile, had gone to his mother's house, at 305 S st. se., where he changed his blood-covered clothing and hid the knife.

He then went to Garfield Hospital for treatment of the cut on his thumb. He told hospital attendants that he was a butcher and cut his thumb at work.

As a matter of routine, the hospital called police to report the wound. Pvt. Frank Floyd, of the 13th Precinct, went to the hospital to take a cutting report. He recognized Roulack as the man described in a homicide lookout police had broadcast, and arrested him.

Under questioning, Roulack admitted the stabbing. He at first said it was in self-defense, but later said he did it in the heat of passion.

McLaren had worked at the insurance company since last January. Fellow workers described him as a "fine fellow," who was doing well in his work.

He had no insurance experience before joining the company. A company official said McLaren told him he had worked as a waiter in the Miami Beach, Fla., area for the past few years.

McLaren, who is married but has no children, operated a rooming house with his wife at 1794 Lanier pl. nw. until selling out a few months ago and n ing to their present address.

Roulack reportedly is tranged from his wife.

Senator's Secretary Still Fights For Life

Post

P. 1

16 Transfusions Are Given Victim; Arrest Made on Detective's 'Hunch'

Washington D.C.

A housebreaking suspect with a police record yesterday was charged with shooting a Senator's secretary during a purse-snatching.

The victim, in critical condition at Casualty Hospital, is Elsie W. Lemke, 41, of 211 Delaware ave. sw., an employe in the office of Sen. Edwin C. Johnson (D-Colo.).

11-26-53

She has been given 16 blood transfusions since a single bullet felled her on the fog-bound pavement in front of her apartment house Saturday night. She was taken to the operating room for the second time yesterday afternoon. Hospital attendants said last night she was showing some improvement, but was still on the critical list.

The suspect was identified by police as William Wilbert Albert Green, 25, of 313 2d st. sw.

Arrested on "Hunch"

He was arrested yesterday at his home after Fifth Precinct Detective Randall C. Degges had a "hunch" he might be involved, police said.

At police headquarters, Green soon admitted three recent housebreakings but denied the purse snatching and shooting, police said.

He was confronted with a gun, stolen in one of the housebreakings, and a bullet, recovered at the scene of the shooting. Police said he then admitted the shooting. He was charged with robbery and assault with a dangerous weapon.

The speedy closing of the case came after police were able to talk briefly with Miss Lemke.

She said a man walked up to her Saturday night and demanded her money. She said she replied, "I don't have very much" and thought it was a joke.

Fires as She Resists

Miss Lemke told police when he grabbed at her purse and started to pull it away, she lunged after it. He fired once and fled as she fell.

Police said Miss Lemke gave them a good description of her assailant.

Meanwhile, police said, Degges had his hunch about Green and felt even surer about it when he heard Miss Lemke's description. Green, police said, was well-known to police in the Fourth and Fifth Precincts as a "vicious individual."

Degges told his hunch to his superior, Lieut. James M. Powell, and the two, accompanied by Detective Sergt. A. J. Gerber and Precinct Detective R. W. Mower went to Green's home, where he was arrested.

Police said Green admitted breaking into the home of Carl O. Holloman at 115 C st. se., Halloween night and taking two guns, three boxes of cartridges and $100. They said ballistic tests will be made on one of the guns. After much scrambling on hands and knees, police found the bullet which wounded Miss Lemke yesterday in front of her apartment house.

Police said Green also admitted breaking into a home at 228 S. Carolina ave. se., where jewelry and a watch were taken September 27, and into a home at 101 Carroll st. se., where $300 was taken September 5. All three housebreaking cases will be presented directly to the grand jury, detectives said.

Police released the following record on Green:

February 22, 1944, an elderly woman was stabbed with a butcher knife in the 200 block of Pennsylvania ave. se. Green was arrested and sent to the National Training School in April. He was paroled in July, 1945.

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Mon. 11-16-53

February 11, 1946, Green was arrested for investigation of housebreaking and purse snatching. He was sent back to the training school and paroled August 13, 1946.

August 14, 1947, he was charged with housebreaking. No disposition was noted.

March 13, 1950, he was charged with housebreaking, three attempted housebreakings and assault on a police officer. No disposition was noted.

May 16, 1952, he was arrested for investigation of pickpocketing by Park Police. No disposition was noted.

August 15, 1952, he was charged by Metropolitan Police with larceny of an automobile after his arrest in Fairfax County. No disposition was noted.

Miss Lemke, who was born in Yorktown, Texas, came to Washington about 10 years ago, according to a friend, Mrs. Clatie Stewart, who lives in the same apartment house.

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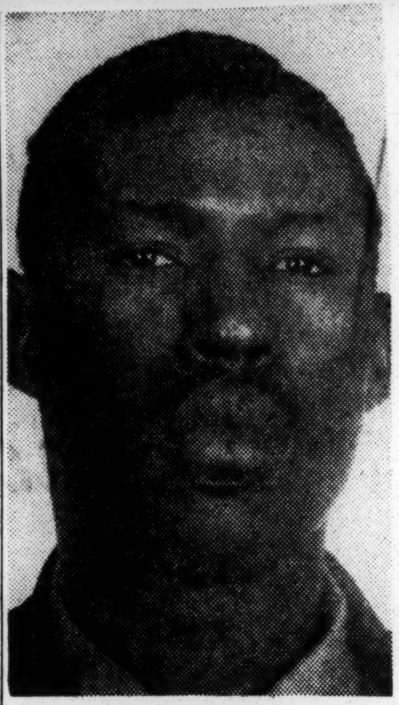
She said Miss Lemke's closest relative is her mother, who lives in Santa Ana, Calif.

The transfusions given Miss Lemke were of type A positive blood. A spokesman for the American Red Cross said that such type of blood was needed in several emergency cases during the weekend and that donations would be gratefully received by the Red Cross.

Post
Mon. 11-16-53

ELSIE LEMKE
. . . condition still critical


WILLIAM GREEN
. . . charged in shooting

13c 1953

D.C. (Legal Sentence)

Called Innocent

Allen Dies for Uline Murder; Priest's 11th-Hour Pleas Fail

13c Legal Sentence

By Matt McDade
Post Reporter

With an air of peace and resignation, Albert Allen went to the electric chair yesterday for his part in the 1950 murder and robbery of a Washington truck driver.

Allen

Father John M. Barrett, prison chaplain, failed in eleventh-hour efforts to halt the execution of the 25-year-old man, whom he believed to be innocent.

Less than an hour before Allen was due to enter the District Jail death chamber at 10 a. m., Father Barrett called the White House to make a personal appeal for mercy. The priest said a counselor reported White House officials, including the President, had carefully considered the case and concluded clemency could not be granted.

Father Barrett then called Attorney-General Herbert Brownell. The priest said Brownell had reached the same conclusion.

All hope exhausted at 9:40 a. m., Father Barrett went to Allen's cell to remain with him until the end.

The priest said Allen, a convert to Catholicism while in prison, was "calm, peaceful and recollected."

"I personally think that Allen was innocent of both the crime of murder and robbery," Father Barrett said.

Allen and Frank J. Proctor, 29, were convicted of fatally beating George Schomber, 39, a Uline Ice Co. truck driver, and robbing him of $108 on December 30, 1950. The first-degree murder conviction carried a mandatory death sentence.

Proctor admitted striking and beating Schomber, but said Allen planned the robbery. Under the law, anyone who helps in the commisison of a felony is as guilty as the one who commits the crime.

Proctor later was granted a new trial. Before it was held, he pleaded guilty to second-degree murder and was sentenced to a term of 15 years to life. Allen's conviction was upheld.

A similar case occurred in England recently. A 19-year-old youth was hanged for a 16-year-old accomplice's murder of a policeman.

Allen's last visitors were his tearful wife, Massie, and his brother, Wilton. They visited the jail for 30 minutes Thursday afternoon.

Father Barrett heard Allen's last confession yesterday morning and gave him holy communion. At their breakfast together, Allen had juice, fried eggs, toast and coffee, but abstained from eating bacon because the day was Friday.

Father Barrett said Allen's final words before he entered the death chamber at 10:02 a. m. were, "Do you think I'll see my mother when I die?" The priest replied, "Yes, you will."

A moment before guards strapped the mask over Allen's face, Father Barrett leaned down, whispered "something private" and patted his hand. Allen's last word was "Okay."

The first current of 2000 volts jerked the husky, well-built man's body at 10:05 a. m. He was pronounced dead at 10:11.

Father Barrett administered last rites of the church.

"We never saw anybody go to the chair as brave as that boy did," he said.

Post

p. 1

Washington D.C.

Post. 3-21-53

U. S. Supreme Court Denies Plea, Daniels Brothers Face Death

13c

WAHISNGTON, D. C. — (ANP) — The United States Supreme court last week refused to grant a writ of certiorari to Bennie Daniels and Lloyd Ray Daniels who were convicted of the murder of Benjamine O'Neal and sentenced to death by the Superior court of Pitt County, North Carolina in 1949.

This is the third time the petitioners have asked the high court to urge the state Supreme court to grant them a new trial on the grounds that their constitutional rights had been denied.

They claimed that racial discrimination had been practiced in the selection of the grand jury and the trial jury deciding the case.

Soon after they had been sentenced, the Daniels brothers petitioned the Superior court of North Carolina for an appeal, but this application was denied on the grounds that it was not filed in time.

A petition then filed with the North Carolina Supreme court was dismissed. The execution was stayed in March 19[illegible] by the chief justice of the N. C. supreme court in order that the petitioners might file an application for certiorari in the high court. This application was dismissed a few days later without dissent. Another application seeking a writ of error was filed with the N. C. high court, but it was also dismissed about two weeks later.

In December, 1950, the execution was again stayed to answer application for writ of habeas corpus in the Eastern district court of North Carolina.

The case was argued, and reargued in June, 1952. In February 1953, the high court affirmed the judgement of the court of appeals of the Fourth Circuit.

An application for another rehearing was denied in April of this year. The petitioners then filed an application for a writ of coram nobus in the Supreme court of North Carolina, but this was denied in May, 1953.

Another stay of execution was sought for but was denied by the Supreme court of North Carolina. A member of the United States Supreme court, however, granted the stay on May 27, 1953, awaiting the decision of the high tribunal.

Since the last appeal has been denied, it is assumed that the Daniels boys will have to pay the penalty of death in the electric chair for the alleged murder of O'Neal.

The Call

Kansas City, Mo.

Mo. 10-30-53

P. 2

13c 1953 Florida

The Life Story of
Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

Ruby Blanketed By Fear, Shame

13c

Fla

(Editor's note: This is the seventh installment of the life story of Mrs. Ruby Jackson-McCollum, sentenced to death recently for the slaying of her alleged lover, Dr. C. LeRoy Adams of Live Oak, Fla. Previous installments have traced incidents in the life of Mrs. McCollum, pointing up her strict childhood days, her marriage to Sam McCollum and her first meeting with the white doctor.)

Courier P3

* * *

LIVE OAK, Fla.—Looking at her three children after Dr. Adams left her home, Mrs. Ruby McCollum was overcome with shame. She would do penance . . . some very special act to punish herself. She'd pray to God to forgive her.

Ruby went into her kitchen with the intention of preparing a very special meal to delight her husband and children. The telephone shrilled out . . . and as she picked it up, an unkind voice came to her through the receiver:

"Ruby McCollum, you think you're some big hen's biddy, don't you? Humpf! Riding 'round in your big shiny car, and holding on to Sam McCollum's money tighter'n' Dick's hatband. You may grab all his money, but I'm here to tell you that you ain't got Sam! Right now he's laying up with somebody young enough for your daughter, and he don't . . ."

Ruby flung the receiver back on the hook and turned away from the phone. She had no idea who her caller was, and never was she to know, but the malicious voice had done something to and for her. She felt less guilty right away. It called back her feeling of neglect over the last few years. She didn't feel blameless, but she did feel a certain justification.

Let Sam stay home more and she would never do it again.

Then the phone rang again. This time it was Dr. Adams.

The next afternoon was a riot of passion. She was wanted as she had always yearned to be wanted.

Sat 4-11-53

* * *

THAT NIGHT in bed alone, Ruby thought things over. She saw the net closing around her. Did she want to escape? Well, yes, and, then again, no.

But how, without bringing on the very disgrace to her children that she wished to avoid?

P.3

How had the former Ruby Jackson gotten into such a fix? My God, her mother and father, brothers and sisters would die of shame if they dreamed of it. And Sam, the community of Live Oak would explode like gasoline. Please God, help her! For, she didn't see how she could help herself.

Ruby felt uncomfortable at times about the community; Dr. Adams was at her home so often. But who would dare to accuse her to Sam McCollum? Not a soul. But did Sam himself suspect . . . or know? From the way he acted she could never be sure.

* * *

THEN CAME the day when she knew she was pregnant, and she knew that it could not possibly be the child of her husband. Very nervous, and very diffident, she went to the office of Dr. Adams for an examination. He made it very briefly.

The seven months that followed were alternately Heaven and Hell to Ruby McCollum.

But alone, Ruby was worried. What would Sam say or do? What about her own family? What about the Negroes of Live Oak? She was heavy in spirit as the weeks dragged on nearer and nearer to her period of confinement.

Florida Is Asked To Pay Cost Of McCollum Appeal

Journal and Guide P.2

Special to Journal and Guide

TALLAHASSEE, Fla.—Frank T. Cannon, attorney for Mrs. Ruby McCollum, last week filed an appeal in the Florida Supreme Court in behalf of his client who faces death in the electric chair for the slaying last summer of Dr. C. Leroy Adams, white Live Oaks, Fla., physician.

Norfolk, Va.

Mrs. McCollum, who was convicted of first-degree murder last January, testified that she had been intimate with the doctor-politician for a number of years and that he was the father of her 15-month-old baby.

* * *

IN FILING THE appeal, Atty. Cannon said that he planned to ask the state to pay the costs of filing since the once-wealthy Mrs. McCollum was left penniless last month by a judgment for $85,000 which was awarded Mrs. Florrie Adams, widow of the slain doctor.

Sat 4-18-53

The costs of the appeal are expected to amount to $2,500.

Although an estate of $135,000 was left by her husband who died of a heart attack shortly after the slaying, Florida courts ruled that Mrs. McCollum was entitled to a share of only one-fifth, approximately $25,000, in addition to a "Widow's mite" of $1,200 which had been assigned to her early in the case.

Journal and Guide

* * *

MORE THAN $18,000 in assignments against her share of the estate had been made to cover legal fees prior to the judgment awarded in Mrs. Adams' suit.

Norfolk

Fred Cannon, Live Oaks jailer and cousin of Atty. Cannon, told reporters that Mrs. McCollum seemed to be bearing up "pretty good" and seems to understand her impending danger.

Sat 4-18-53

Asked what she had eaten for breakfast that morning, he replied: "eggs and grits."

Ruby's Case Goes To High Court

P. 1

TALLAHASSEE, Fla. — The death sentence now hanging over the head of Mrs. Ruby McCollum, Live Oak, Fla., for the slaying of Dr. C. Leroy Adams, was carried to the State Supreme Court here Thursday in form of an appeal motion.

Sat 4-18-53

The high court was asked to review the case and order a new trial for Mrs. McCollum.

The Life Story of

Mrs. Ruby J. McCollum!

—By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist—

The Folds of Fate Were Closing In

(Installment Eight)

13c2ca

LIVE OAK, Fla.—Our scene changes rapidly, and, now Ruby Jackson McCollum is the tragic star of a world-shaking drama. In a blindingly brutal light, America has discovered that the separation of the races is a fiction. The pretensions have met the realities of that courtroom at Live Oak, Fla. Many things had happened between that pregnancy and this day.

Courier

Now, a Southern white lawyer, born within twelve miles of the Suwannee County Courthouse, fights brilliantly and ruthlessly to save the life of a Negro woman who has shot to death a prominent and popular white man.

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This white attorney is flanked by and ably assisted by a Negro lawyer not appointed by any special group.

In close and amiable association, Col. Frank T. Cannon and Rutgers-educated Releford McGriff, the latter a Negro, fight shoulder-to-shoulder for the life of Ruby McCollum. The battle rages up and down and across all the lines once held too sacred to even put into words. For the first time, too, Suwanee County, Fla., had Negroes on a jury panel. Yes, it is a world-shaking drama.

Pittsburgh, Pa.

But, time is long by the courthouse clock. Ruby McCollum is a little woman by some standards. She sits in the large armchair with her small feet crossed and often swinging clear of the floor. For hours she sits almost motionless as the battle between defending and prosecuting counsel rages on and on.

She loses the thread of the conflict for her life and goes back into her drama. Ruby McCollum has lived so many lives and died so many deaths since that unforgotten afternoon nearly seven years.

"O memories that bless and burn!"

* * *

Sat. 4-18-53

AS RUBY sits there with her head resting on her right hand, she lives those years again and tries vainly to shut out the truth from her heart.

Ruby McCollum, sitting in the courtroom in peril of her very life, had memories that blessed and burned. Perhaps, she would die a repugnant death, but . . . she had lived!

And, materially, Ruby McCollum had lived. She had seen the day laborer she had married twenty years before rise to a place of wealth and a certain kind of power. She had sought for a go-getter when she chose Sam McCollum, and she had not been disappointed in that way.

"I picked from the very top," she would say. "I was married to the top Negro of Suwannee County, and Dr. Adams was the top white man. When I tie up with a man, I have influence with him. Men love me when they get to know me."

* * *

AND SAM McCOLLUM, too, was bound. Live Oak knew all about his philandering, but it was axiomatic that Ruby ruled the roost. Even in the very act of his misdeeds, he bragged about his wife—to the intense irritation of numerous females.

He could not even bear to let her go when she bore a child which he knew could not possibly be his own. Nor did Sam McCollum denounce his wife about town. He quietly moved into a separate bedroom and, after a while, began to complain of pains about his heart.

Live Oak might speculate about the light-skin baby that Ruby rode about town in the flashy car that Sam had bought her, but Sam gave nobody the satisfaction of hearing him talk about his wife.

* * *

GRADUALLY people found out that Sam's doctor had warned him that he had heart disease. He must slack off and take things easy. But this he could not do. He had fought and gotten for his Ruby what she wanted, wealth and the power that goes with it.

He now held important real estate; he held a sizeable block of stock in a thriving business the Central Life Insurance Company; and he had nearly a hundred thousand dollars in cash hidden away in his house.

But Ruby Jackson, the Ruby whom he had had to court for so long before she consented to marry him, was lost to him except in name only. So, he was not so lively about town, not so full of wisecracks as he once had been. In quiet moments, the sides of his face looked limp and sagging, like wet-wash hung out to dry from his ears . . . "oh, barren gain . . .!"

* * *

RUBY IS snatched back from her musings on her female mastery of men by the bitter, snarling voice of Edwards, the Assistant State's Attorney. He gives her a vengeful look and points a scornful finger at her as she sits between her attorneys:

This Ruby McCollum is just as sane as I am. She knew what she was doing when she went to Dr. Adams' office that Sunday morning to kill him. That, gentlemen of the jury, is a sly, calculating killer. Every movement she made that morning was a preparation for this day.

"Look at her sitting there. You heard her from the witness stand, so meek and numbling with a little voice that the court had to order her to speak so that you could hear her. She was not like that when she pumped four bullets into the back of Dr. Adams.

"I ask you gentlemen to bring in a first degree verdict against this brutal slayer and without a recommendation of mercy . . . this savage . . . as she sneaked back and forth from her car to the office door to see if anybody recognized her, to await her opportunity to get into the treating-room with that gun which she had carried there in that big, tan hand-bag slung across her shoulder . . ."

* * *

THE BITTER tirade, the scalding denunciation of her went on and on, and Ruby sank back once more into her reveries.

Her children. Ruby had always loved children. Her ultra femininity gave her a very strong maternal instinct. Now her four children, three of them of tender years, were snatched away from her. She could not see them often, let alone give them her tender care. She had thoroughly dominated the lives of two able men, she had her memories that blessed, but she also had those which burned. A very barren gain. The folds of fate were closing in.

'INVITATION TO MURDER':

Sentence upheld in 'dead wrong' slaying

13c7ca

Afro American

TALLAHASSEE, Fla. — The State Supreme Court said last Wednesday that a white man who held up, threatened and cursed two colored men was "dead wrong," but ruled that the colored men didn't have the right to beat him to death.

Sat 8-1-53

The justices upheld the Jefferson Circuit Court's second degree murder conviction of Thomas and Samuel Huntley, brothers, who disarmed, then whipped Jim who disarmed, then whipped Jim Chancey, Monticello white man.

P. 5

The court said that Chancey was "dead wrong and practically invited his own destruction" in unlawfully holding up the brothers, but said he "was not wrong enough . . . . to have to pay with his life for what he did."

Newark, N.J.

Gone Into Ditch

Witnesses said Chancey accosted the Huntleys and several other colored persons on a road near Monticello, 26 miles from Tallahassee, where they had gone into a ditch. He demanded to know why they were blocking the road, then pulled out a shotgun and held it on them.

Samuel Huntley took the gun away from Chancey, and his brother later grabbed a standard off the truck and struck Chancey on the head, it was reported. Samuel Huntley whipped the white man over the head with the shotgun and drove off, leaving Chancey dying on the road, it was alleged.

"Racial clashes of this kind should be a thing of the past," the Supreme Court commented. "Every man regardless of color is entitled to equal treatment," the court concluded.

Sheriff shot by desperado

Afro American

13c

Hit four times in ambush; 3 held

Fla

FORT LAUDERDALE, Fla.—The only colored deputy sheriff in Broward county was shot and seriously wounded early last Thursday in front of his home.

Baltimore, Md.

Three bullets struck James Primous, 35, in the back and a fourth hit him in the left leg. His condition was described as serious but "fair" at the Broward General hospital.

Sat. 12-26-53

Sheriff Amos Hall said Primous told investigators a gunman started shooting at him after he stepped out of his car to enter his home. He fired one shot in return, he said.

P. 2

Found By Wife

Primous was found lying in the driveway by his wife, who was awakened by the sound of the shots. She called police.

Two men and a woman were arrested and held for investigation in connection with the incident. No formal charges were filed against them immediately.

Hall said Primous arrested the woman Nov. 25 on a charge of possession of moonshine liquor and picked up her husband last Saturday night on a charge of carrying a concealed weapon.

13c 1953 FLORIDA

Alleged Son Asks To Share Ill-Fated McCollum Estate

Special to Journal and Guide

LIVE OAK, Fla. — Another twist has arisen in the ill-fated life of Mrs. Ruby McCollum, under sentence of death, as a result of the filing of a suit by an alleged illegitimate son of her late husband against his $135,397 estate.

The suit was filed by Kenneth McCollum of Daytona Beach, Fla., who claims that Sam McCollum was his father. Sam McCollum died of a heart attack Sunday, August 4, the day following the pistol killing by Mrs. McCollum of Dr. C. Leroy Adams, local white physician and State Senator-elect, in his office here. On the witness stand she charged that the doctor was the father of her young daughter.

Journal and Guide

THE PETITION of Kenneth McCollum, filed by Attorney H. E. Hill of Daytona Beach, before Suwannee Judge J. M. Hearn, alleges that he is the illegitimate son of Samuel McCollum, and that the petitioner was born August 19, 1927, at Eustis, Fla., and that Bertha R. Lightsay is his mother.

P. 7

Norfolk Va.

The petitioner further claims that during his lifetime Samuel McCollum acknowledged in writing and in the presence of witnesses that he was the father of the "said petitioner."

KENNETH McCollum claims in his suit "that under the statutes of the State of Florida," he is entitled to preference of appointment as administrator of Sam McCollum's estate.

He asks that he be adjudicated the illegitimate son of Sam McCollum and "entitled to share and participate in the property both real and personal and mixed of the decedent in the same manner as if he had been borne in lawful wedlock."

Dat 2-21-53

THE $100,000 SUIT recently filed against the estate by Mrs. Florrie Adams, wife of the slain physician, has been successfully defended by Attorney J. L. Blackwell, of the local bar who represented the administrators.

The value of the estate was fixed Friday, Feb. 13 by appraisers at $135,397.36, exclusive of the homestead.

Temporary fees and commissions of $600 each were allowed for administrators Matthew L. Jackson of Live Oak and Roland Yates of Tampa.

A $5,000 fee was fixed for Attorney Blackwell for his part in settling the estate and successfully defending it against the Adams suit.

In a previous action brought by Mrs. Ruby McCollum against her husband's estate for a widow's mite, she was granted $1,200 which is to be paid at the rate of $100 a month, the amount allowed under the Florida statute.

This sum is charged against the entire estate rather than against Mrs. McCollum's personal property settlement.

The Life Story of Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

Sat. 3-7-53

(Editor's note: This is the second installment of the life story of Mrs. Ruby Jackson McCollum of Live Oak, Fla., wealthy widow who has been sentenced to death for the recent slaying of her alleged lover, white Dr. C. LeRoy Adams. A heart attack claimed the life of Mrs. McCollum's husband, Sam, shortly after the slaying of the doctor. Mrs. Adams is the mother of three children.)

* * *

WHAT AMUSEMENTS did Ruby Jackson and her brothers and sisters find to offset the fact that they weren't allowed to dance or play cards, or such other amusements? How did they provide an outlet for their pent-up emotions and desires, filled as they were with the vigor of virile youth?

Ruby

They often played those old games which came from England centuries ago: "Heavy, heavy, hangs over they head"; or "Old horse, I ride him," and the like. These staid games have entertained millions of rural families in the South of the past. They were the kind of games played in Ruby's home at night when the family gathered after supper was over and the dishes washed. It was "sport" around the big kerosene lamp in the living room.

Courier P. 2 13c-Fla

* * *

ON AFTERNOONS when there was nothing for the children to do on the farm, they gathered around and played the usual games loved by small children, "London bridge is falling down," and the like.

Ruby Began Reading Love Stories at the Age of 10

Pittsburgh Pa.

One thing was mandatory, however, for the Jackson children: they **HAD** to study the Sunday School lesson and they had to know it in advance. That was a "must." Nonetheless, in their way, they had fun.

Around Live Oak today they will tell you that Ruby McCollum seldom visited people. Perhaps this is because she was not allowed to do much visiting during her childhood. Her parents did not approve of such, and her mother, Mrs. Gertrude Jackson, was the disciplinarian of the family. She whipped soundly when she thought it was called for.

Clemon Jackson, the oldest son, said most of their whippings came when they stole off to visit and play with other children.

"Mama promised us a whipping if we did that," he said, "and we sure got it, too. Oh, yeah, Ruby got her share. When Mama said a thing she meant it. She was not the kind that had to wait for Papa to come home to get order. She got order right now when she spoke or we caught it."

* * *

RUBY JACKSON, on the whole, was an obedient child, but when the kids did make up their minds to steal off and play at someone else's house, Ruby took her licking with fewer tears and less noise than any of the others.

She had had the fun she had determined upon, and she took her whippings in payment without the usual screams and without seeking to justify herself.

She made an outcry, however, when her mother—as harried and hard-working mothers sometimes do—erred in fixing the blame for some misdemeanor. When Ruby was not guilty, or felt justified, she defended herself with a few well-chosen words. It was an insight then into the type of woman she was to later develop into.

Ruby gave no trouble either about attending church and Sunday School, nor Fessenden Academy. She was quick in study and quiet in classes. Something of a "lone wolf," she made few intimate friends. But the few friends she did make she held close! Sarah Davis, who later married her brother Clemon, and Tommie Lee Ward were her close and constant chums.

* * *

BUT AS QUIET as Ruby was, so far as conversation was concerned, she was quite much of a "tom-boy." She shinnied up trees and "skinned the cat" with the best that any of the boys could do. She gave a good account of herself in a fight with them, and played marbles with them ardently. She was very enthusiastic when it came to yard-ball.

When Ruby reached the age of ten, she took to reading a lot, and the things Ruby Jackson read were always romantic love stories. As time went on she spent more and more time that way and less on the romping games with the other children. It was a sign of "things to come"—even at that early age.

William Jackson seldom meted out physical punishment to his children, but there was one occasion on which he took his three oldest ones into camp.

They were Clemon, Ruby and Hattie. Father Jackson had some fine watermelons which he had ordered not to be touched.

But the three youngsters looked upon them and yielded to temptation, taking a melon up under the shade tree where they gorged themselves until it was all gone. Father Jackson came upon the rinds before the children had prepared a good excuse. Ruby explained it by saying that Maybelle, their dog, had eaten the melon. But this wasn't good enough for their father and he gave the three children a sound thrashing.

* * *

WITHOUT MUCH schooling themselves, both Mr. and Mrs. Jackson wanted their children to be well-schooled. The Rev. Leonard Francis Morse, now dean of the Lee Theological Seminary at Edward Waters Junior College, in Jacksonville, Fla., taught the Jackson children at Fessenden Academy.

The Jacksons did not handle too much cash money, but they found a way to pay for the tuition of their children. Since they had more cows than anything else, they swapped beef for tuition. Before Florida's "no fence" law went into effect, the family ran from fifty to sixty head of cattle at a time. When the law was passed, they found they did not have enough land for pasturage, so the herds were drastically cut—by necessity.

But Ruby Jackson went on to finish high school and then her normal course at Fessenden in 1929 when she was nearly nineteen.

Three traits of personality emerged strongly in Ruby Jackson's early life.

The most striking of these manifestations is that she revealed little about herself. Even when she made words with her mouth, she really said nothing about her inside feelings. She was extremely self-contained.

The second thing was that she was retentive in material things. Never did she make any great clamor for clothes and the things most girls crave, but what she did get, she took very good care of. The little pocket change which came to her, she could hold onto much longer than any of her brothers and sisters.

The third strong characteristic was a maternal instinct which was out of the ordinary.

Fails to Explain Her Action, but Demands Refund

13c

By JOHN A. DIAZ

LIVE OAK, Fla.—Mrs. Ruby McCollum, awaiting execution for the murder of Dr. C. LeRoy Adams, added another chapter to the drama-packed story last week when she requested Atty. Frank Cannon, one of the five lawyers representing her, to resign from the case and refund fees paid him.

Courier

The request came in a special delivery letter to Cannon last week. Cannon said that Mrs. McCollum gave no reason for her action. He stated, however, that he would ignore the letter in that he had already filed the assignment given him in the court and had already been paid to handle the matter.

Sat. 3-14-53

RELEFORD McGRIFF, Negro attorney, who has been associated with Cannon in battling for a new trial for Mrs. McCollum, was not asked to withdraw from the case.

A third of the five attorneys, Guy Crews, white, who was recently suspended by the Florida Supreme Court, is also still retained by Mrs. McCollum.

The Courier learned last week that prior to the tragic shooting, Mrs. McCollum had gone to a prominent white attorney in Jacksonville to seek his assistance claiming that between her late husband, Sam McCollum, and Dr. Adams she was living between two guns. This disproves the original contention that McCollum had acquiesced in the reported illicit relations between Ruby and the leading citizen of Live Oak, the murdered man.

Pittsburgh Pa.

Judge Strips 135 G McCollum Estate

Doomed Slayer Left Pauper By Decision

13c

$18,000 In Legal Fees Paid To Two Lawyers

LIVE OAK, Fla.—While Mrs. Ruby McCollum, doomed slayer of Dr. C. Leroy Adams, white doctor-politician, sat in her cell in the Suwannee County jail here last Wednesday, Circuit Judge R. H. Rowe of Madison was in the nearby courthouse signing papers which made her a pauper.

Afro-American

Tried during last January for the shooting to death of the man she claimed was her "lover" and fathered her 15-month-old baby daughter, Loretta, Mrs. McCollum was found guilty of first degree murder and sentenced to death in Florida's electric chair at Raiford.

P. 3

On Wednesday Judge Rowe signed a judgement for $85,800 in favor of Mrs. Florrie Adams, widow of the dead doctor, who was slain in his office during an argument with Mrs. McCollum, stripping the defendant of all her worldly goods. Mrs. McCollum refused to appear at the hearing.

Baltimore Md.

Sat. 4-4-53

May Get $25,000

Though Judge Rowe's document calls for $85,800 Mrs. Adams, who sued for $100,000 can hardly hope to recover any more than $25,000 since the courts have declared that Mrs. McCollum was entitled to only one-fifth of the estate which had been set up as $135,000.

There are several children who shared the remainder.

In the process of the litigation of Mrs. Adams against the estate, defense attorneys for Mrs. McCollum during her murder trial—Frank T. Cannon (white) and Releford McGriff (colored), both of Jacksonville, gained her a widow's mite of $1,200, which was charged against the whole McCollum estate rather than against her personal share in the estate.

Lawyers Get Paid

Already there have been assignments made against Mrs. McCollum's interest within the estate, supposedly in the neighborhood of $25,000. Of that amount $10,000 was paid to Cannon and another $8,000 to McGriff for legal fees, which means that Mrs. Adams, if she should be sustained, will receive less than $10,000 in the situation.

A. K. Black, state attorney at the time of the slaying, and since resigned for the purpose of entering Mrs. Adams' suit following his successful prosecution of the case, first filed the suit for $100,000 against the whole of the McCollum estate.

At the present time the finances of Mrs. McCollum are being held "In Custodia Legis" and her administrators William Jackson, her brother of Ocala, and Roland J. Yates, insurance executive of Tampa, are subject to liquidation of the estate, and the settlement of pending claims.

Husband Dies Fleeing

Sam McCollum, husband of the condemned woman, who fled the scene the day of the killing, last Aug. 3 died the next day in Zuber near Ocala. It is reported he died of a heart attack.

The McCollum fortune is said to have been built upon far flung farming interests, the numbers game in which McCollum is said to have been one of the "big boys" and large holdings in the Central Life Insurance Company of Tampa.

The death sentence was passed on Mrs. McCollum on Jan. 17, following the conviction of first degree murder without recommendation of mercy. In Florida death in the electric chair is mandatory on first degree murder convictions.

Denies Motions

Passing sentence was Judge Hal W. Adams of Mayo, who presided at the trial, later heard the motion for a new trial and denied the motion which presented 58 errors as noted by Defense Counsel Cannon.

Since the conviction, an admitted illegitimate son of Sam McCollum has filed papers in court in behalf of himself asking a child's share of the McCollum estate. Representing him is Horace E. Hill, attorney of Daytona Beach. That case has not yet been heard.

The case of Mrs. McCollum is up before the State Supreme Court.

Court Weighs Ruby Appeal

13c

LIVE OAK, Fla.—Another attempt to save Mrs. Ruby McCollum from execution in the state's electric chair was made here Monday when an appeal was filed in her behalf.

Courier

Mrs. McCollum has been scheduled to die for the murder of Dr. E. Leroy Adams, her alleged white lover and father of her fifteen-month daughter.

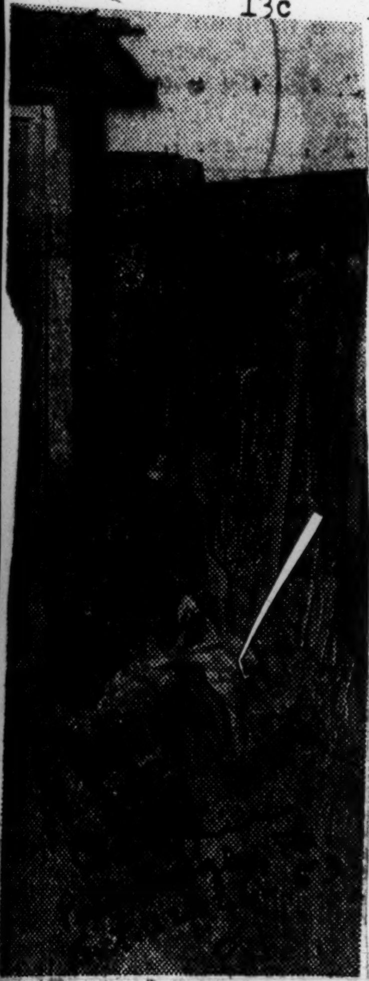
Mrs. McCollum's attorneys, Frank T. Cannon, Releford McGriff and H. Guy Crews, all of Jacksonville, have been given ten days in which to furnish the Suwanee County clerk with data concerning the case.

Pittsburgh Pa.

Another appeal scheduled to be heard in the matter of Judge Hal T. Adams' refusal to allow Mrs. McCollum's motion for insolvency in which she had hoped to be declared a pauper.

Sat. 6-13-53

13c 1953 FLORIDA



THELMA DANNICE WILLIAMS
. . . *strangulation victim*

Hunt Slayer Of Co-ed, 16

JACKSONVILLE, Fla.—Last rites for talented Thelma Dannice Williams, 16-year-old 1952 class Stanton High School graduate, who was brutally strangled to death by parties, or a party still unknown, were held last week in the St. John's Baptist Church, East Jacksonville.

P.1

Officiating at the rites which were attended by several hundred persons, many who had known the young woman from her early childhood days, was the Rev. James A. Shaver, minister of the church, where the talented Miss Williams served as a member of the junior choir and in other official junior church organizations.

* * *

THE FOSTER mother, Mrs. Annice Gray Williams, of the East First Street address, and a public school physical education instructor at the old Stanton Junior High School, informed investigating officers following the discovery of the dead girl on the ground in the rear of her garage when she returned home with her 10-year-old son from a church service, and a thorough investigation was immediately begun in an effort to apprehend the slayer or slayers.

About three weeks ago the dead girl and her foster mother had a break in relations, with the girl moving away to take a room at 1541 Davis Street, where she lived at the time of her tragic death. She informed persons where she lived that she was going to her foster mother's home to get a coat she had left there when she moved away, it was learned. It was said she had been to the home the Saturday night before her death, but was informed by Mrs. Williams that the coat was in the cleaners, and for her to return on the Monday night she was killed.

The young girl was a student last year in the first semester at the Florida A. and M. College, Tallahassee, but dropped out of school due to lack of funds and took a job on the day shift in the kitchen of the St. Luke Hospital where she was employed at the time of her death.

Girl Was Strangled Police Say

Bright Student Was Working To Earn Cash To Continue Studies

JACKSONVILLE, Fla. (Interstate Press) — Police this week continued their investigation into the death by strangulation of 16-year-old Thelma Dennice Williams, a 1952 graduate of Stanton High School, whose body was found lying behind her mother's garage at 722 East First street last Monday night.

P.1

The body was found by the girl's mother, Mrs. Annice Williams, physical education director at the old Stanton junior high school and a former teacher at the Douglas Anderson High School on the Southside.

Norfolk, Va

THE GIRL WAS not living with her foster mother at the time of the slaying. She was living at 1514 Davis street, and was employed at the St. Luke's Hospital in the kitchen on the day shift.

12-19-53

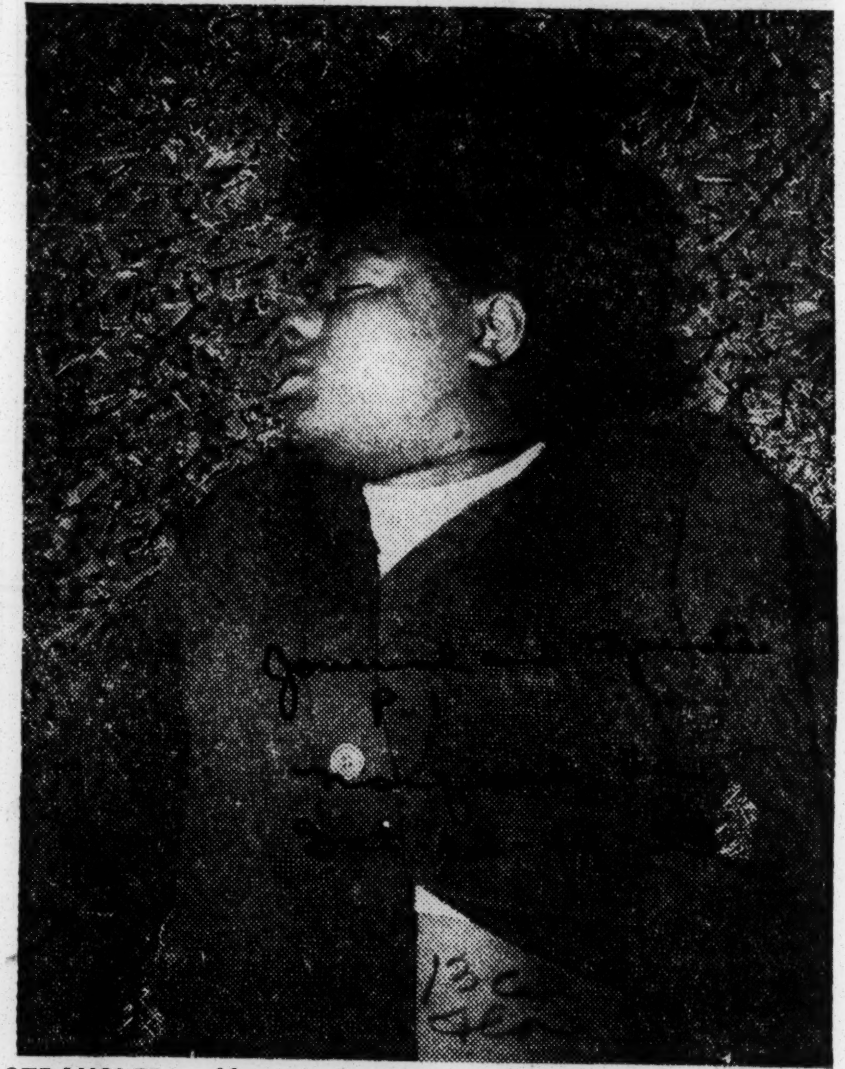
When the body was found by the foster mother on her return from a church service about 11:15 p. m., part of her clothing had been torn off and wounds around her neck indicated that she had been strangled to death with a cord or wire, according to Homicide Sgt. R. B. Whittington and J. H. Miller.

* * *

INVESTIGATING officers say that the girl, who had broken off relations with her foster mother last September and moved away to take a room in a rooming house at the Davis street address, apparently went to her foster mother's home the night of the slaying to get a coat she had left there when she moved out.

When she moved she left the coat and other clothing and tried to pick the coat up last Sunday night when the weather got cooler. She was told then that the coat was in the cleaners and to return Monday and pick it up, said Whittington.

Killer Sought



P.1

13c

STRANGLED **Above is the body of Thelma Dennice Williams, Florida A. and M. student, shown as it was found in the rear of her former home in Jacksonville. The girl had been strangled.**

Below is Thelma, at the time of her graduation from Jacksonville high school.

12-19-53

THELMA D. WILLIAMS

FACES ELECTRIC CHAIR IN SLAYING:

Fla. Widow Gets 15 Days To File For New Trial

LIVE OAK, Fla. — Defense counsel for Mrs. Ruby McCollum, widowed mother of three children, who was convicted Saturday of first-degree murder in the slaying of Dr. C. Leroy Adams, white physician, Monday was given 15 days to file a motion for a new trial.

Afro-American

Mrs. McCollum had solemnly told the all-white jury, which convicted her after deliberating for three hours, that Dr. Adams was the father of her little girl, Loretta.

P. 1

At this moment a hush enveloped the sparsely filled Suwannee County criminal court room.

The trial began Tuesday morning, Dec. 16, and progressed without incident or fanfare, with citizens of this thriving farming community going about their tasks, as usual. The jury returned a verdict of guilty of first degree murder.

Baltimore

Intimate Since 1948

Mrs. McCollum related in response to questions from her attorney, Frank T. Cannon, who is prosecutor for the Criminal Court of Record, in Duval County, that there had been an intimacy existing between her and Dr. Adams since 1948 and continued up to the time of his death.

Dec. 3-53

Mr. Cannon reminded her, "you have testified that you were pregnant on Aug. 3. Are you pregnant now? " Judge Hal W. Adams, (no relation to the deceased) presiding judge, sustained the State's objection.

The defendant was asked whether she wrote a letter to a Mr. Crews in Jacksonville, the contents of which were made known to R. H. Cox, director of the Women's Division of the State's penitentiary at Raiford, in which she stated that she had not been having sexual relationships with anybody except her husband, and that Dr. Adams was not the father of her child.

Her answer was "yes."

Mr. Cannon then asked her to tell the court if any force was used by anyone at the institution to cause her to write this letter and the defendant claims that she was taken to a room where she was to be given a hypodermic.

Then, she was asked to write this letter, although she did not want to do it. She was threatened with a double shot if she refused. It was at this time that she wrote the letter.

Feared Death

When asked for her reason for writing the letter, Mrs. McCollum stated that upon realizing how the first shot made her feel, she feared that a double shot might do her greater harm, and possibly bring death to her.

When asked whether there were any officers present, she replied that she did not know, but had remembered someone being called a Mr. Britt.

Afro-American
Baltimore Md

The state offered prison guard Arch Britt Rosser, who, according to his testimony, was the only guard referred to as "Britt" He was present at the time the shot was given, but he said Mrs. McCollum was not forced to submit to the treatment.

Called Professional Witness

Mr. Cannon referred to this man as a professional witness, stating that the calmness of his face, made a fine specimen.

Mrs. McCollum told of receiving a bill from Dr. Adams on Aug. 2. She said that she went to his office on the fatal day to receive a penicillin shot.

The 37-year old housewife, and mother of four, whose husband, Sam McCollum, died of a heart attack the day after the shooting, said that when she returned to the office the second time she recalled not having paid a medical bill which amounted to $116.

Resented His Advance

She went back and gave him $100 and it was while he was writing a receipt for the payment that he suggested they enter intimate relations.

The buxom housewife, who had to be whisked away from the scene of the crime to the State's penitentiary for safe-keeping, for fear of reprisals, told the court that she objected to his advances that day.

In low, nervous tones, the bewildered woman said the doctor pointed a gun toward her stomach. In a trembling voice, she said she wrestled the gun from him and during the tussle shot him.

She said she admitted shooting him the first time, but after that she "did not know what happened."

Dec. 13, '53

Denied Change Of Venue

Judge Adams, in denying a renewed motion for a change of venue, stated that respect for due process of law should be the same in hamlets, cities, counties, nations — as a matter of fact, all over the world.

On Wednesday, Mrs. Carrie Dailey of Live Oak, told the jury of 12 white farmers that she was in the waiting room at the rear of Dr. Adam's office and heard the argument and shots.

The defendant made two visits to the office on the fatal Sunday morning before the interview that ended in the death of Dr. Adams, the witness testified.

[illegible] hird [illegible] nent [illegible] was standing. [illegible] wi[illegible] she could see Dr. Adams thro[illegible]n an open door, but could not se[illegible] Mrs. McCollum.

Mrs. McCollum was wearing a yellowish dress and carried a large tan shoulder bag, the witness said. According to the witness when the defendant first entered the room, she said to Dr. Adams.

"I want it back."

"This? " he answered.

"No."

"This?"

"No."

"This? This?" Dr. Adams asked for the third time, and Mrs. McCollum answered "yes."

Demanded Receipt

Then Mrs McCollum, she said, took a bill out of her bag, went to Dr. Adams and said, "Give me a receipt for this."

"I don't keep the books," Dr. Adams was quoted as saying. "Thelma keeps the books. Come back tomorrow."

Mrs. McCollum insisted that Dr. Adams give her a receipt, the woman testified, and he finally said to her:

"That isn't half the money you owe me.

"I ain't going to pay a hundred. I'll pay my part and the other fellow will pay his part," the defendant was said by the witness to have answered.

Quotes Threat

"I am going to get mine if I have to talk to the judge," the witness quoted Dr. Adams as saying. Then, he continued: "Woman, I'm tired of fooling with you."

The witness testified Dr. Adams took one step toward the doorway, then a gun was fired and he fell.

Mrs. Dailey said that she, her daughter, and another Mrs. Stella Arnold, who were in the waiting room, ran outside. As the screen door shut behind them, another shot was fired.

Repeats Story

She testified that she and her companion ran up the alley to a corner filling station, where they reported the shooting to two men in an automobile.

The state called Mrs. Stella Arnold to the stand who repeated in substance the story told by Mrs. Dailey.

Under cross examination by defense counsel Odis Henderson, Mrs. Dailey admitted that she had difficulty with her hearing. She said she had just barely heard the first shot and had thought it was a door slamming until she saw Dr. Adams fall.

"If you just barely heard the shot, how can you claim to have heard every word that was spoken in the same room?" Henderson asked.

The original venire of 130 persons included eight colored persons the first ever called for jury duty in Suwannee County. Seven of them were among 68 prospective jurors disqualified by Judge Adams.

Was He The Father?

Afro-American
P. 7
Dec. 13, 53

Dr. C. Leroy Adams who was fatally shot by Mrs. Ruby McCollum who charged in the court trial in Florida this week that he fathered her baby.

Baby Involved In Fla. Slaying

This is the McCollum baby, whose mother, Mrs. Ruby McCollum, testified in court this week, was fathered by a white physician, Dr. C. Leroy Adams. Mrs. McCollum is facing the electric chair in the fatal shooting of Dr. Adams earlier this year.

Doctor's Widow Sues For McCollum Property

LIVE OAK, Fla. — (Interstate Press) — Mrs. Florrie Adams, widow of the late Dr. C. LeRoy Adams, who was shot and killed by Mrs. Ruby McCollum on August 3, has filed a $100,000 suit against the McCollum Estate in Suwanee County Civil Court.

Mrs. McCollum, recently convicted by an all-white jury of first degree murder, was scheduled to be brought before Judge Hal Adams, not related to the deceased, Monday, January 12. Through her attorneys, Frank T. Cannon and Releford McGriff, a motion for a new trial will be made.

A. K. Black, attorney for the plaintiff who prosecuted Mrs. McCollum during the trial, has resigned as State Attorney and now represents Mrs. Adams in her $100,000 suit.

P. 1

Sun. 1-11-53

The suit avers that on the 5th day of August, 1952, Sam McCollum, husband of the defendant, died and that on the 11th day of September, 1952, Matthew L. Jackson and Roland J. Yates were appointed administrators of the Estate of Sam McCollum.

Therefore, the plaintiff, Mrs. Adams, contends that by reason of the killing of Dr. Adams the said Mrs. Ruby McCollum and her late husband, jointly and severally and subsequently his said estate, after his death became liable and is justly indebted to the plaintiff for her said damages in the sum of $100,000, and by reason thereof all of the property owned by him at the time of his death, both real and personal, is liable for any judgment rendered by the court

Adams was shot to death in his office last Summer. Two women in the waiting room testified they heard Mrs. McCollum and the doctor arguing over the amount of her bill.

Mrs. McCollum told the jury the argument resulted from the doctor's insistence that she submit to him. She testified they had sexual relations over a period of years.

The day after the shooting Mrs. McCollum was widowed when her husband a Bolita (numbers) operator, died of a heart attack.

Florida mother faces death in electric chair

Negro

LIVE OAK, Fla., Jan. 19—(AP)—Mrs. Ruby McCollum, 34-year-old widowed Negro mother, today faced death in the Florida electric chair for the slaying of Dr. C. Leroy Adams, white physician-politician who she claimed fathered her youngest child.

P. 19

A jury convicted Mrs. McCollum and Circuit Judge Hal Adams denied a motion for a new trial and pronounced sentence late Saturday. Her attorneys announced they would appeal to the Florida Supreme Court.

Mon. 1-19-53

ONLY A FEW spectators were in the courtroom when Mrs. McCollum heard the sentence. She showed no emotion.

White Widow Of Doctor Files Suit

Journal and Guide

Defendant Charged Slain Physician Fathered Her Child

(Special to Journal and Guide)

LIVE OAK, Fla. — A suit for $100,000 growing out of the killing of Dr. LeRoy Adams, prominent physician and Senator-elect by Mrs. Ruby McCollum on Sunday, August 3, has been filed against the slayer and the estate of her late husband, Sam McCollum, who died suddenly of a heart attack two days after the shooting.

P. 1

The suit filed in Suwannee County Civil Court last week by Mrs. Florrie Adams, widow of the slain doctor, names as plaintiffs, in addition to Mrs. McCollum, Matthew L. Jackson and Roland J. Yates, administrators of the McCollum estate.

Sat. 1-17-53

Norfolk, Va.

Mrs. Collim convicted of the slaying in Suwannee County Criminal Court by an all-white jury on Dec. 20, is facing death in the electric chair.

A. K. Black, attorney for the plaintiff, who prosecuted Mrs. McCollum during the trial, has resigned as state's attorney, and now represents Mrs. Adams in her $100,000 suit against the McCollum estate.

Journal and Guide

THE ESTATE includes large blocks of stock in the Central Life Insurance Company of Tampa of which Mr. McCollum was a director at the time of his death. The company is one of Florida's oldest, highly respected and financially strong insurance companies, and in the event Mrs. Adams wins her suit, it is likely to have a bi-racial board of directors for the first time.

Sat. 1-17-53

It is possible that should the white widow win her action, and be awarded the McCollum stock in the settlement of judgment, she would succeed to the position of director in the company held by Mr. Collum.

Norfolk, Va.

* * *

SHOULD SHE accept the post, she will probably become the first white director of a Negro owned life insurance company.

During the sensational first degree murder trial of Dr. Adams, prominent physician and State Senator-elect, Mrs. McCollum testified that she had had sexual relations with Dr. Adams since 1948 and that he is the father of her 15 month old daughter, Loretta.

* * *

THE SUIT AVERS that on the 5th day of August, 1952, Sam McCollum, husband of the defendant, died and that on the 11th day of September, 1952, Matthew L. Jackson and Roland J Yates were appointed administrators of the estate of Sam McCollum.

Therefore, the plaintiff, Mrs. Adams, contends that by reason of the killing of Dr. Adams the said Mrs. Ruby McCollum and her late husband jointly and severally and subsequently his estate, after his death became liable and is justly indebted to the plaintiff for her damages in the sum of $100,000, and by reason thereof all of the poperty owned by him at the time of his death, both real and personal, is liable for any judgement rendered by the Court.

Ruby's Life Must Be Saved!

RUBY McCOLLUM must not die!

That the Live Oak, Fla., colored woman is guilty of shooting to death her white paramour, Dr. C. Leroy Adams, last Aug. 3, is not in question.

Mrs. McCollum admits it and her lawyers concede it.

Courier P. 1

The killing was the tragic conclusion of a most sordid relationship which the Courier neither condones nor defends.

Pittsburgh, Pa

But Ruby McCollum must not die!

For if this gravely erring colored woman pays the supreme penalty which jury and judge have decreed, then justice is no longer blind, but weeps into her scales.

Sat. 2-14-53

The Courier has closely covered this case from its inception and followed every word of the testimony down to the final judgment.

The Courier has told its readers of the strange and extenuating circumstances leading up to the killing; of the intimate relationship between Mrs. McCollum and the physician; of the fifteen-month-old alleged offspring of the illidit reationship, the innocent victim of this interracial tragedy.

The Courier agrees with the brilliant interracial defense team that Ruby's trial was full of irregularities which made a mockery of the vaunted impartiality of the court.

Evidence was suppressed or excluded which should have been in the record, such as the long and intimate relationship between Mrs. McCollum and the physician, the swearing of probably prejudiced jurors, the court's failure to accept a defense motion that a verdict of second degree murder be directed.

* * *

The Courier does not suggest that anyone guilty of murder escape punishment entirely, but it forcefully holds that the evidence presented, strongly indicates that this crime was not premeditated, but grew suddenly out of a quarrel between the lovers.

Because there are so many extenuating circumstances and irregularities in connection with this case, it should be extensively reviewed by higher courts, right up to the Supreme Court of the United States.

The Courier believes there are ample grounds for a new trial and, if granted, there should be a change of venue to another part of the state where public feeling is not running so high and where judge and jury are more likely to be impartial.

While justice should prevail, we contend that Ruby's life must be saved.

13c 1953

FLORIDA

Ruby! Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow:

God is a forgiving God. He rains on the unjust, just as he does on the just. He loves Mrs. McCollum, as he loves you.

MRS. J. KNIGHT,
Fort Valley, Ga.

Courier - P. 20

* * *

We cannot stop white and colored from going together, so give Ruby a break. We had it in slavery, and will always have it, so let us talk about something else and pray for Ruby to come out and go to her children or have another man.

PATRICK KIRTON,
Rochester, N. Y.

Pittsburgh, Pa
Dat 6-13-53

I am more concerned with why Ruby killed the dector. In the face of all her love affairs she isn't being tried for her illicit love. No one can get away from the fact that she killed. The Bible says, "Thou Shalt Not Kill," "Thou Shalt Not Commit Adultery." She did both.

MRS. A.
Chattanooga, Tenn.

13c. Fla

* * *

Ruby has sinned. She broke God's law of "don't touch." I'd rather work ten years to get what I want, than to get it in a shorter time by being dishonest. It just doesn't pay.

MRS. MARGARET JACKSON
Atlanta, Ga.

Dat. 6-13-53

It is amazing to read the comments, pro and con, on this Ruby McCollum case. Yet, the more serious and important issues, that appear from time to time in the Courier, that mean so much to our economic and social welfare go on without a comment from the readers and subscribers of the Courier.

HERMAN A. STUCKEY,
Savannah, Ga.

* * *

We talk about prejudice. What do we know about prejudice when we are still condemning Ruby? How do we ever expect to stop it when there is so much of it in our own race?

MRS. EDNA REED,
Gary, Ind.

* * *

Some of the letters about the Ruby McCollum case really make me do a slow burn. I agree with C. Conway and a few others. I don't think that Ruby should get the chair for the killing of the late Dr. Adams, but for having an affair with him in the first place. Ruby and all the Rubys of the Negro race should burn. They shouldn't be allowed to breath the same air as the decent women of our race.

G. P.
Canton, Ohio

* * *

I pray in the name of Jesus Christ that they may go in that cell where poor Ruby McCollum is and comfort her poor heart.

MRS. KIRKLAND,
Quincy, Fla.

I've been reading these letters about Ruby's case for quite a while. I think that all of them should or could be thrown into the trash can. If there's nothing these people can do to help Mrs. McCollum, then I don't see why they continue to torture her. I'll bet my bottom dollar that some of these same people would do the same thing, if they had the chance.

(MISS) WILLIE E. WALTON
Pollard, Ala.

* * *

Mrs. McCollum is a Negro who has killed a white in the South. Speaking from similar cases of the past, the death sentence is just a continuation of an old tradition being handed out to Negroes who are tried for such crimes in the South, whether they are right or wrong. Unless we, and I include all who have written the Courier about Mrs. McCollum's case, Negro and white, can save her life or do something about changing some of these crazy laws that exist in the South, I say let's just pray for her, those who would like to, and shut up.

MANSFIELD SPENCER
Winston-Salem, N. C.

* * *

The storm over the case of Mrs. Ruby McCollum continues to rage without your readers noting an especially significant aspect of their demonstrations. Some of them, chiefly women, piously protest Mrs. McCollum's affair with Dr. Adams as "sin." Others denounce her for going "out of her race," presumably inferring that all could be forgiven if extra-marital trangressions had been confined solely to one of her own color. But, a surprisingly large number of people appear concerned with the political viewpoint. They heavily emphasize the mistake, or the wrong, according to opinion, done by Mrs. McCollum as being particularly heinous because it happened in a segregation state. By this they not only subordinate the sanctity of marriage to repressive legality, they also unconsciously admit the importance of segregation laws in Southern life by giving them precedence over morality.

R. RENOUARDT DE ROUGOMONT,
Chicago, Ill.

* * *

Dr. Adams stole Ruby's affection and her pride. He caused her fall. I am praying she may be freed. She has suffered enough. May God help her.

REV. CHARLES W. ROBERTSON,
Cambridge, Ohio

* * *

I am a constant reader of your paper and especially this particular column concerning Ruby. I quote: "For if any be a bearer of the word and not a doer, he is like unto a man beholding his natural face in a glass; for he beholdeth himself, and goeth his way, and straightway forgetteth what manner of man he was."—James 1:23, 24.

MRS. M. C. WESTBROOK,
San Diego, Calif.

Ruby! Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow:

Courier P. 13

I am writing in behalf of Mrs. Ruby McCollum. I am deeply sorry that she has to suffer now. She has a child of this love to care for, and her other children, and I think that she should be left free to start a new life for them in another vicinity.

Middletown, Ohio. MRS. BERTHA WEBB.

Pittsburgh Pa

* * *

I don't know anything about Mrs. Ruby McCollum, but she's not the only one who ever did that.

MRS. S. W.

Fort Pierce, Fla.

Dat 6-20-53

Ruby should have her trial where the judge can be fair and the jury look within themselves for a verdict which is just.

MARY WHITE.

New York City.

13c. Fla

* * *

Ever since the murder of Dr. Adams, the Negro race has been condemning Mrs. McCollum, even though they don't know how or why she killed him. Here is something new to write about, and I hope you put as much behind this case as you did in the condemnation of Mrs. Ruby McCollum. Recently a white man shot and killed a sixty-year-old Negro woman here in Savannah. Do you think his race will condemn him?

MRS. LAURA BROWN.
MISS ROXENA JACKSON.

Savannah, Ga.

* * *

It made me boiling mad when I read in this column from C. Conway of Buffalo, N. Y., saying white men don't have respect for colored women. Maybe it's true, but whether or not it's none of this cracker's business. People like this hillbilly are always causing colored people to have a bad time. As for me, a white woman has nothing a colored woman doesn't have

CURTIS THOMAS.

Savannah, Ga.

* * *

I am a Negro, born in the South. I know the South's law Mr. Lynch has enforced all these years. I can't say Mrs. McCollum was right or wrong for having a love affair with this man. There are lots of "Rubys" in the South. It all started over a hundred years ago. There are very few full-blooded Negroes in this country. You can't blame Ruby for that.

TOM JORGENSEN.

Ruby! Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Couirer readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow. Courier P.20

* * *

Re: The case of Mrs. Ruby McCollum—Exodus 20 Chapter, verses 13 and 14—"Thou Shalt Not Kill" and "Thou Shalt Not Commit Adultery."

ALVIS BAILEY, San Diego, Calif.

Pittsburgh, Pa

* * *

You can tell Ruby that I am praying for her.

ALBERT C. SNELL, Fort Worth, Tex.

Dat. 7-25-53

* * *

Ruby isn't the first woman to kill a white man and she won't be the last. Instead of casting Ruby's name in the mud, we should be praying for her.

MRS. LEASTER LITT, Baton Rouge, La.

* * *

Ruby's love affairs and the baby did not justify murder. Why carry a gun to a doctor's office to get medical treatment?

HARRY ADAMS, Gulfport, Miss.

* * *

I don't think Ruby should have second chance because I think any Negro women who mix with white men are buzzards and any white women who mix with Negro men are buzzards. I think they should not mix in the South.

L. M. MURPHY, Ashburn, Ga.

* * *

This is to inform R. G. Burk of Akron, Ala., that the first boat that brought or stole Africans from Africa to America was the beginning of the race question. Had your thieving ancestors let us alone, there would be no Ruby McCollums, etc. We were one color, then free of all kinds of diseases.

MILDRED BOONE, Bridgeport, Conn.

* * *

To Mrs. Leonard Madden of Sandusky, Ohio, why should a colored woman be tarred and feathered because she mixed with a white man? So be the case then black women should be tarred and feathered for mixing with the brown.

M. JAFFE, Chicago, Ill.

* * *

Personally, I don't believe the same justice given to Ruby, even under the same circumstances, would have been given to a white man for killing a Negro lover in the South. That is why I can't understand why our boys are giving their lives over in Korea when so much injustice is done here in the States.

LAWRENCE PENSON, Columbus, Ohio.

* * *

God knows who is right, and if the NAACP can save this woman, please save her.

MRS. MARY K. SMITH, Pittsburg, Calif.

Berkeley, Calif.

* * *

Ruby McCollum deserves a gold star or medal from the Negro race. Rather than be outdone by him, she did what any sensible woman should have done under the circumstances. If a lot more of our women would wake up and start thinking as Ruby, it would be better for all of them who indulge in Negro and white relationships.

J. A. AND J. C. M.

Albany, Ga.

* * *

Why not give Ruby's children a chance to escape ridicule by discontinuing the big headlines and large splashes and this business "Ruby! Good or Bad?" There are good years ahead of her children, so let's not contribute to any further ridicule which they must suffer, not only socially, but psychologically.

E. R.

Macon, Ga.

* * *

Ruby is not the only person to make a mistake, nor the last one. Who are we to judge?

MRS. DOREATHA VARNER.

Pittsburgh, Pa.

* * *

I am another who is in sympathy for Ruby McCollum.

MRS. W. L. STOVALL.

Haughton, La.

* * *

Ruby pulled off any program she wanted to, but she did not leave a halo for the spirit to come in.

LUKIE L. KNIGHT.

Fitzgerald, Ga.

* * *

Dear Lord, in the name of Jesus Christ, please save Ruby's life on account of her poor little children.

MRS. ELVIRA MARSLAND.

Long Bridge, La.

* * *

Of course I'm prejudiced, but not against my own race. Mrs McCollum has my sympathy, and I'm hoping she will be freed

A. J. TAYLOR.

Savannah, Ga.

* * *

I feel that Mrs. McCollum's life should be spared. Of course, she committed a crime, and all crimes should be punishable, but death shouldn't be her punishment.

S. E. WHITE.

Savannah, Ga.

* * *

Why punish one Ruby for the doings of many "Rubys"?

WILLIE CHARLIE BRADLEY,

West Bainbridge, Ga.

First Ray Of Hope For Ruby

Dat 7-11-53

Courier

Judge Adams Overruled On Insolvency Plea; Clears Way for Appeal On Murder Verdict

P.1

LIVE OAK, Fla.—A faint ray of hope glimmered through the dark clouds of tragedy that has enshrouded the life of Mrs. Ruby McCollum since 1952, last week, when the Supreme Court of Florida granted her counsel's plea that she be declared insolvent.

Ever since the 37-year-old woman shot and killed a white physician and State Senator-elect, Dr. C. Leroy Adams, her existence has been one long procession of reversal after reversal, grimly capped by the sudden death of her husband and the stripping away of most of her earthly possessions.

Courier

The appeal was granted so that Ruby may take her case to the Supreme Court.

Dat. 7-11-53

THE STATE'S high court's order, in effect, reverses a ruling handed down by Judge Hal B. Adams who had denied a plea of insolvency made by Mrs. McCollum, who has claimed that the man she shot was the father of her last child.

Judge Adams also granted the medic's widow the sum of $85,000 for the loss of her husband, who at the time of his death was widely recognized as an influential figure in Suwanee County politics.

Despite his granting of the damage claim made against Mrs. McCollum, Judge Adams had refused her insolvency plea, thus preventing her from carrying the fight for her life up to the Supreme Court at the county's expense.

The State Supreme Court's action means that for the first time since Ruby was convicted of Dr. Adams' murder she has hopes of escaping the electric chair.

13c 1953

FLORIDA

Doomed Florida Widow Prays and Reads Bible

By NICK MAYO

(Special to the Courier)

13c

LIVE OAK, Fla.—Mr. Ruby McCollum, convicted of murdering a prominent local white physician whom she claimed was her lover, prays that her faith in God will yet save her from the death chair.

Courier

The 37-year-old widowed mother of four children remains hopeful and comparatively cheerful, said Jacksonville Attorney P. Guy Crews following a visit to the Suwannee County jail last week-end. She spends much of her time praying and studying the Bible, particularly the Book of Matthew, he said.

Pittsburgh, Pa.

Sat. 5-30-53

Her lawyer quoted her as saying: "God will save me."

Mrs. McCollum had been found guilty of murder in the first degree last December, in the fatal shooting of Dr. C. Leroy Adams, general practitioner and member of the State Legislature, whom she claims was the father of her littl girl, Loretta, now almost three years old.

Confined in a corner cell on the second floor of the county's modern red brick two-story jailhouse, she lives practically within view of the scene of the tragedy, which shook this quiet farming community last August. She is now awaiting judicial action on an appeal to the State Supreme Court for review of the records of her case. Should that fail to save her from death, the next legal step open to her will be an appeal to the United States Supreme Court.

Courier

Sat. 5-30-53

In civil court action on her behalf, Jacksonville attorneys have recently filed an affidavit of insolvency, claiming that the once well-to-do widow, who recently lost an $85,000 law suit to the widow of Dr. Adams, is now penniless. No date for a hearing has been set as yet. An estimated [illegible]000 had been left to Mrs McCollum and her children when her husband, Sam McCollum, died of heart attack the day following the shooting.

[illegible] very much concerned over the welfare of her family, she eagerly looks forward to visits by her eldest son, Sam Jr., 19, and her brother, Matthew Jack[illegible]. Her children, including [illegible] Loretta, are currently living with relatives.

While she derives some relaxation **from reading popular magazines, the convicted woman spends the majority of her time with Biblical works and praying for her children on the outside, as well as for herself, said Attorney Crews, one of the few permitted to see her.**

Though the threat of the chair hangs heavy over her, Mrs. McCollum was made strong by her faith and feels confident "the Lord will save her," he added. Living in seclusion in her cell, which jailers say she keeps scrupulously clean, life might be unbearable if it weren't for her Bible and the visits of relatives, she told her lawyer. She is not allowed to mix with fellow-prisoners and is served her meals in her cell.

The aftermath of the fatal shooting of Dr. Adams and the spectacular trial that followed finds this northern Florida community of about six thousand today maintaining only a casual interest in the case.

The press is still barred by court order from seeing the convicted woman.

The Florida widow, jailed within a stone's throw of the street front, plate glass-windowed office where the doctor was killed, must face the electric chair if her present and subsequent appeals fail. No date has been set for the execution.

She had maintained in court that there had been an intimacy existing between Dr. Adams and herself from 1948 up to the time of his death, and claimed that the death resulted from an ensuing struggle with the doctor over a gun after she had objected to his advances on that particular day.

Stabbing Death Called Murder

Herald

Miami, Fla.

P. 7C

Tues. 9-1-53

A charge of first degree murder was filed Monday against Frankie Young, 37-year-old Negro woman, for the fatal stabbing Sunday of another Negro woman, Willie Lee Jackson, 35.

The warrant, issued by Peace Justice Francis J. Christie, was obtained by Detective T. J. Whitman, of the homicide bureau.

Ruby!

Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow:

13c Fla

* * *

I am truly sorry for Ruby. I know she has done a great wrong. So let's let Ruby and God work that out and let you and I not try to take God's place.

IRENE CORPENING,
Lenoir, N. C.

Courier

* * *

It is altogether fitting and proper that we should all stick together and try to be for Ruby. I have not went with a white man and I have no desire to go with one, but I still have sympathy for Ruby because she is a woman of our race.

MARY EMMA JENKINS,
Henderson, Texas

P. 12

* * *

I do not believe in the different races of people mixing sexually, but if justice were done there would be a lot of Rubys and Johns. Just only three miles from my home, the law went into a colored woman's house. She had to be confined to a wheel chair a year or more. They just walked up an beat her head to the fat just because they could. So why do we judges want to electrocute Ruby?

Pittsburgh, Pa.

MRS. D. G. M.
Arlington 5, Ala.

Sat. 6-6-53

* * *

Ruby didn't do anything wrong by going with Dr. Adams, he was only a man like anyone else, and she certainly isn't the only woman in the South that fell for a white man . . . the white man treats the Negro woman better. Don't ever pass a law for mixed marriages . . . our goose would be cooked, the South would be ruined.

MRS. G. SMITH,
San Antonio, Texas

* * *

To Robert Walker of Philadelphia regarding his attitude toward Mrs. McCollum, no race can rise without its women. Our women and men in the world throughout are woefully lacking in both qualities, race-pride and race-consciousness. Just stop and ask yourself this question. What will the Negro's lot be in America fifty years from now?

LINDA CODRINGTON,
Bridgeport, Conn.

* * *

I was reading a letter from Robert Walker of Philadelphia, Pa. I don't agree with him all the way. Because a few colored women do these things, that doesn't make all of them the same. After all, white as well as colored have bad women but you never hear much said about them. It is not the color of a person's skin that counts, it's what is in his heart.

MARGARITE HARDIN,
Seaside, Calif.

* * *

I am just about fed up with some of the letters I have read recently on the case of Ruby McCollum, especially the one by Robert Walker. How can our people be so ignorant, honestly, it sometimes makes me completely sick. All that I can say for Robert Walker and others like him, "Help them God, for being so illiberal."

ANONYMOUS,
Webster Groves, Mo.

* * *

It is because of such women as this Ruby that the average white man thinks he can get any colored woman he sees. Most of the novels on the subject of Negroes usually ends up with some colored woman submitting to some white man. This is disgraceful but the average Negro considers this "Progress." I admire most of the articles in your paper but since your paper seems to take the view that Ruby should be freed I will discontinue buying your paper. I don't expect this to harm you in any way, but I will get self-satisfaction.

R. WILLIAMS
Fort Wayne, Ind.

I am sorry, of course, for the said Ruby, but if you follow the devil you will sin and all sin must be punished.

MARIE HARVEY,
Mount, Herman, La.

* * *

Ruby was caught between two mountains. She could not go over and could not go under and the short way out was death.

JOHNNIE BELL,
Fort Pierce, Fla.

* * *

Why not save Mrs. McCollum from the chair because we have all got to stand before God for ourselves and give an account of our deeds.

L. T. STANLEY
Fitzgerald, Ga.

* * *

If they give Mrs. McCollum the chair they might as well go out and bring in the other thousands and thousands that are doing what she did. Not only colored women but colored men, also.

MRS. E. R.
Louisville, Ky.

* * *

Friends, why not be more considerate with Mrs. McCollum? She is human you know. Who knows. There may be some good work in this woman.

MRS. MARY L. SCOTT,
Alexandria, La.

* * *

Ruby is not the first colored woman who had a white man. For instance, there's a lot of Rubys right here in Bainbridge, Ga. If that was a white person who had killed a colored person, nothing would have been said about it. We all know that if a colored man looks at a white woman here in the South, they are ready to pop him in jail or do away with him.

J. P. and J. A. P.
West Bainbridge, Ga.

* * *

It makes my blood run cold and hot to read some of the insulting letters that our Negro men and women are writing about Mrs. Ruby McCollum. I am from Fort Myers, Fla., and have met some of the McCollums. They are all business people, fine upright citizens in their community. White men and colored women and colored men have been lovers since time began, so why hide a fact in you mind when you know this is true. You all should be getting together a petition to put before the Governor of Florida to save Mrs. McCollum's life. The Japanese, Germans, and Italians killed thousands of Americans and were pardoned after ten or fifteen years, so why take her life?

JONNIE B. MILLER,
Sandusky, Ohio

Courier
Sat-6-6-53

I have been a subscriber to the Courier for years and have found it to be one of the best Negro papers in the world. Now, I think the Ruby McCollum mess has gotten to be stale and takes up a lot of column space where news ought to be printed. We have had Rubys in the Negro race since civilization began. Now we Negroes are doing a lot of harping about it, just don't make sense. Mrs. Ruby McCollum has committed a murder and she should pay the price for it. The Bible says "Thou shalt not kill." May God Bless Mrs. Ruby McCollum.

EARLY LEWIS,
Mobile, Ala.

* * *

It is too bad that Mrs. McCollum was exposed to the life she was living. Colored women have been mixing up with white men and every other kind of man all through history and are still doing it every day, somewhere in this U. S. A. She just got caught. So what? She was committing adultery and getting away with it, then she broke another commandment . . . she killed . . . that's what tripped her up. We all have to pay for temptations. Let this be a lesson to us all. We all sin.

L. COLLINS,
Atlanta, Ga.

U. S. Airs Moore Case

8 Face Indictments In Florida Bombings

By JOHN A. DIAZ

Courier
P. 1
Pittsburgh
Pa.
Sat.
6-6-53

MIAMI, Fla.—The Courier has learned from Federal authorities that six to eight persons investigated in the Christmas night fatal bombing of Harry T. Moore and his wife, Harriet, in Mims, Fla., in 1951, face indictments in Federal Court here this week.

Moore, state coordinator for the NAACP, was killed almost instantly by the dynamite explosion that shattered the cottage in which he, his wife, one of his daughters, and his mother were asleep.

His wife died two days after in a nearby hospital from injuries she received from the bombing. His mother and daughter sleeping in an adjoining room were not hurt.

THE FEDERAL investigation of the bombing started last November by a grand jury here.

The Justice Department probers have since summoned several witnesses, most of them admitted members of the Ku Klux Klan.

The Federal grand jury probing the case resumed its hearings here last Wednesday. Fourteen witnesses were summoned before the twenty-three-man jury headed by Hugh Purvis, a Miami accountant.

Among the witnesses questioned were William J. Bogar of Apopka, Fla., a retired property owner, an admitted Klansman, and Philip Huggins also of Apopka.

Courier
Sat
6-6-53

OTHER WITNESSES questioned from Apopka, too, were George F. Morton, a construction man, and Ernest G. Morton, a carpenter; R. E. Bailey of Orlando; Thomas/Stuckey of Maitland, and Joseph Lee Davis of Winter Garden, Fla.

Assisting the Federal grand jury were L. E. Broome and Emory Akerman, special assistants to the Attorney General.

The spotlight turned on the Klans when it was borught out at the hearings that floor plans of the Moore home had been discussed at a Klavern meeting.

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3 Held in Murder Of White Officer

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Courier
9-26-53
Pittsburgh
Pa.

MIAMI, Fla. — Two Negroes whose trial was postponed for two days this week because they were brought to trial handcuffed and chained, faced trial together with another Negro last Wednesday minus the shackles.

The defendants, all Miamians charged with the alleged slaying of a Miami policeman last February, are George (Limpy) Anderson, Percy Ambister and Richard Lloyd.

Defending the Negroes are three white lawyers, who are using all the legal technicalities at their disposal to save the men from the electric chair.

The Life Story of Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

Ruby Sorry for Her Parents

(EDITOR'S NOTE—This is the ninth installment of the life story of Mrs. Ruby McCollum of Live Oak, Fla., who was convicted and sentenced to death for the slaying of her alleged white lover, Dr. C. LeRoy Adams. Mrs. McCollum's husband, Sam, died of a heart attack shortly after she shot and killed the doctor. Mrs. McCollum contends that her last child was fathered by Dr. Adams. Recently, Dr. Adams' widow won an $85,000 damage suit which she filed against Mrs. McCollum).

Courier

* * *

LIVE OAK, Fla.—Mrs. Ruby McCollum does not feel that she is entirely at fault for what has happened.

"I was between two guns that morning (the morning of the killing) . . . the gun of my husband, and the gun of Dr. Adams."

She makes no explanation further. But, she does mention the terrible scene when Sam McCollum, her husband, found that she was again pregnant.

Sat 4-25-53

* * *

THEN THERE was that communication which Ruby cannot bring herself to talk about freely. The prosecution contends that it was a monthly bill for services rendered by Dr. Adams to the McCollum family, but Ruby's reaction to it clearly indicates that there was something more in that envelope than merely the doctor's monthly statement.

Incidentally, that piece of paper has disappeared, although it could have been important evidence in the state's case.

One thing she did reveal, however, was that Dr. Adams was insisting that she move out to his farm.

Pittsburgh Pa.

P. 3

* * *

OTHER HORRIBLE memories tore at her as she sat there and heard the violent denunciatiton of the prosecution. The fear-filled flight from Live Oak to the State Prison at Raiford that Sunday morning.

Then the treatment that she had received at Raiford.

"Oh, just the thought of being in such a place!"

Did she have a miscarriage in prison?

"The state knows all about that," she murmured, and she could not say anything more. Her breath came in soft gasps. She thought of all the brutalities of mind and body that had been visited upon her when, as much as she regretted the deaths of Dr. Adams, and her husband, she had only acted instinctively, to—in a way—protect her own life.

"I was between two guns."

Now both of the men were dead, and she was here fighting for her life . . . "Oh barren gain . . . and bitter loss!"

* * *

ADMITTING THAT she had ceased to love Sam McCollum, Ruby still deeply regrets his death resulting from shock.

"Dr. Adams stole my love away from Sam. It would not have happened if Sam had not killed off my love years before I ever met the doctor, though. I was a good wife to Sam, and a very loving mother to our children, as everybody in Live Oak knows."

Ruby now is deeply pained over the suffering she has caused her mother and family. At times it almost drives her out of her mind, so that for hours everything seems to be in a mist.

"I do not grasp that it is myself at times. I seem to be walking in somebody else's dream, a bad dream, like a heavy fog around me. Sometimes I feel that I will wake up and find that it is nothing but a nightmare that I've had. I have died many deaths since that Sunday morning, but sooner or later I find that I am still alive and the bars are still around me."

Ruby feels — and, perhaps, justly so—that she has been the victim of a trap. Soon after she began seeing Dr. Adams, he began to prescribe medicines for her that had a queer effect upon her. She was sometimes very exalted and sometimes unnaturally depressed, but never her old, usual self.

Sam McCollum had sensed the same thiing about his wife, and perhaps that was why he was so patient with her. He went to several intimate friends and told them that he was worried about Ruby. She had become so strange.

(Continued Next Week)

$100,000 Suit To Gain McCollum Estate Re-Filed

Special to Journal and Guide

LIVE OAK, Fla.—The damage suit hearing of Mrs. Florrie Adams, the result of the pistol killing of her husband, Dr. C. LeRoy Adams, by Mrs. Ruby McCollum in which she is seeking the defendant's share of the $135,336.36 McCollum estate, has been set for Monday, March 23, before Judge Hal Adams, no relation to the deceased.

Mrs. Adams' original suit against the McCollum estate fored by Judge R. H. Rowe in Madison. Under the Florida law, a husband is not responsible for the criminal acts of his wife.

Journal and Guide

* * *

SAM McCOLLUM, Ruby's husband, who fled the scene shortly after the slaying, died the next day in Zuber, near Ocala. It is reported that he died of a heart attack. The McCollum fortune is said to have been built upon far flung farming interest, the bolita racket in which Sam was recognized as "kingpin," and vast holding in the Central Life Insurance Company of Tampa.

P. 2

Norfolk Va.

It is believed that if Mrs. Adams should be successful in her suit against Mrs. McCollum the defendant in the last stages of her case may have to come before the court as a pauper, inasmuch as Attorney W. T. Cannon, chief defense counsel, has already filed an assignment against Mrs. McCollum's share of the estate for his fee.

Sat. 2-28-53

THUS, IF Mrs. Adams wins, Mrs. McCollum will be broke, and should the fees paid be insufficient to carry the case through a long and projected period, Mrs. McCollum would come within the status of a pauper.

Ironically enough, Judge Adams, who on Jan. 17 passed the death sentence upon Mrs. McCollum after an all-white jury had, without recommending mercy, found her guilty of murder in the first degrees (death sentence mandatory under Florida law), will preside in the damage suit.

* * *

JUDGE ADAMS, in turning down a motion for a new trial said "no" to the 58 errors noted by defense attorneys during the trial. Mrs. McCollum, the mother of four children, one of whom, her 15-month old daughter, Loretta, she claims was fathered by the man she shot and killed, awaits a death date in a tiny Suwannee county jail cell here in Live Oak.

Her attorneys have until April 17, 90 days from Jan. 17, to file a spurned by the man whom she notice of appeal with the Florida Supreme Court. Should the appeal be denied, the matter of signing her death warrant will come before Governor Dan C. McCarty, who was inaugurated Jan. 6. It will be his first. If the chief executive should refuse, again, Judge Adams comes into prominence in the McCollum case, for it will be his duty and responsibility to sign the death warrant.

* * *

THE WARRANT will specify the week in which Mrs. McCollum will take the walk to Florida's electric chair.

The warden at the Raiford prison, Florida's big house, will set the day of the week—usually Friday, and the hour when the McCollum case will come to a sad and tragic close. A case in which a woman refused to have her love says she had mothered a child.

The Life Story of Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

(Editor's note: This is the tenth installment of the life story of Mrs. Ruby McCollum who was sentenced to death in Live Oak, Fla., for the slaying of her alleged lover, Dr. C. LeRoy Adams. The death sentence has been appealed to the Florida Supreme Court. Mrs. McCollum became a widow shortly after the slaying, her husband, Sam, dying after he fled from Live Oak.)

* * *

1 3 Fla

LIVE OAK, Fla.—In the search for her old self and her efforts to free herself from the daze in which she lived, it is a matter of record that Ruby McCollum went from doctor to doctor all over her section of Florida. Therefore, it is highly probably that Mrs. McCollum is a victim, instead of the cold, ruthless killer that the state claims her to be.

"I do not know why I killed Dr. Adams. I remember very little about what happened," she says.

Ruby says that Dr. Adams feared assassination from some other source for several weeks prior to Aug. 3, 1952. If he named the source of his fears to her, she is still keeping it a secret.

Courier

SHE IS TELLING the truth, because a hardware dealer states that Dr. Admas came to him to buy a gun about a week before he was killed. However, the hardware dealer disclosed, he had none in stock, but ordered one for Dr. Adams. It had not arrived at the time of his death.

P. 2

"I was not his enemy," Ruby says significantly. "I loved him."

Pittsburgh

Rumor is rife in Live Oak that Ruby McCollum was the agent of some as yet secret person or persons in the slaying of Dr. Adams, and many express the hope that the name or names of whoever they may be will be bared soon.

Aug 5 '53

* * *

NOBODY BELIEVES that she was induced to kill him for pay, but the general feeling is that her mind was so badly torn and twisted over a period of time that she would feel from what she was led to believe that to commit the act would be justified.

And that is where that missing communication plays such an important role . . . what has become of it? . . . Ruby McCollum, herself, does not know. It disappeared along with the handbag of cash and other important papers in it.

The secret of the slaying of Dr. C. LeRoy Adams may lie in that piece of paper! . . . what became of it? . . . and why was it destroyed?

Ruby says that all she knows is that she seemed to come alive again as she drove into her driveaway on that fatal Sunday morning with her two youngest children — and that gun — in the car with her.

* * *

VAGUE, TROUBLED dreams came to her. The report of a gun . . . had she killed anybody? The thought was repugnant to her, and she hurled the gun into the bambo hedge and went inside her home to take care of her children.

If her statement that she could not go with the arresting officers then because there was no one to take care of the children sounds stupid, it is because she had not as yet realized that she had killed a man.

It took the terrifying drive to Raiford, the brutal blows of a State Trooper and repeated accusations of others to make her realize, or believe, that it was so. Ruby still wonders at times if it was really her own hand that fired the bullets into Dr. Adams. Did she really do it, or, was there somebody else there who did it, and then imposed upon her the sense of guilt during her dazed condition? She earnestly wishes she could be sure.

* * *

WHILE THE appeal from her conviction was being argued before Judge Hal Adams, Ruby, herself, argued the whole thing through in her own mind. But, she went further back than the actual killing of Dr. Adams.

She says that she reviewed her entire life from conscious beginning to the hour of her conviction on Dec. 20, 1952. She had been trying to find the answer to her lige ever since she had been brought back from Raiford to the county jail in Live Oak.

She still did not have the answer when, in the deepening dusk of the evening when Judge Adams denied the appeal of her lawyers, she was told to stand and receive the sentence of death in the electric chair.

* * *

HIS VOICE husky with emotion, Judge Adams began hurriedly to pronounce the sentence of death upon Ruby McCollum, then, catching himself, he interrupted to ask the formal question:

"Have you anything to say why death should not be imposed upon you?"

"I, I, I don't know whether I was right, or wrong . . ."

The prisoner at the bar, Ruby McCollum, said this with the hesitation of uncertainty, then stood calmly while the dread sentence was imposed upon her. Then she went calmly back to her seat, intertwined the fingers of her hands and looked up at the ceiling.

* * *

SHE HAD been—and still is—questioning the meanings of her life and what has happened to her . . . and why . . . and the answer has not been found.

She does not know what turn, what attitude brought her to where she is—she who was ever quiet and gentle. She shares with the public which knew her in surprise at the killing of Dr. Adams.

As she said, she does not know whether she did right or wrong, and neither does anyone else, including the sovereign State of Florida, in spite of the verdict. Nobody will ever know until something more is revealed of the mystery that surrounds the death of Dr. Adams.

Ruby, bewildered and suffering in her cell at Live Oak, assured us that she strives at last to learn to kiss the cross. To submit to unfathomable Fate with courage and dignity.

* * *

WHATEVER HER final destny may be, she has not come to the bar craven and whimpering. She has been sturdy and strong . . . a woman who ruled the lives and fate of two strong men, one white, the other colored. She had dared defy the proud tradition of the Old South openly and she awaits her fate with courage and dignity.

NAACP Urged To Aid Doomed Widow

LIVE OAK, Fa.—Mrs. Ruby McCollum, sentenced to the electric chair for the murder of a white physician here, last week dismissed her defense attorney and told the Florida Supreme Court that she would represent herself in her efforts to obtain a second trial.

Afro American

While all of this was going on, interested persons were trying to get NAACP aid for the condemned woman from the Florida conference of the association which, Sunday, ended a 3-day conf. in Jacksonville.

Frank T. Cannon, one of the "fired" attorneys, says that neither he nor his associates have any intention of resigning from the case for if the pending appeal before the Supreme Court is not perfected, it will become Governor McCarty's duty to sign Mrs. McCollum's death warrant.

Calls Mind Deranged

Her attitude in the matter, Mr. Cannon contends, is the product of a deranged mind.

Attorney McGriff of the defense counsel visited Sam McCollum Jr., Mrs. McCollum's son here, Monday, and was told not to pay any attention to his mother in these matters as she was of course nervous, worried and thus incapable of reaching such a decision.

Mr. Cannon says that he has visited Mrs. McCollum many times only to find her wrapped in a sheet moaning: They are trying to poison me by putting gas in my room and powder in my bed."

It is also observed that Mrs. McCollum may commit suicide by strangulation, It is common practice for many colored victims in such cases to die mysterious deaths, or to be taken from the prison never to be heard from again.

p. 2

Precautions Taken

Every precaution is being taken to prevent Mrs. McCollum from meeting with either such fates.

Mr. Cannon has filed an insolvency in the condemned woman's behalf before the clerk of Swannee County Court. Mrs. McCollum signed the document under oath as required by law.

The matter is coming on to be heard before Judge Hale T. Adams, before whom Mrs. McCollum received the death sentence. This procedure clears the way for a suit asking for $2,500 from the state to cover the cost of filing her papers of appeal before the Supreme Court.

Wealth Taken Away

The judgement of $85,000 in favor of Mrs. Florrie Adams against Mrs. McCollum, leaves her penniless, thus without funds to carry her case to the Supreme Court.

Her children are minors, and under the Florida law, they can not contribute to her defense as their guardians can only approve expenditures for the childrens' comfort and welfare.

The court cost and the record of the appeal have been estimated at approximately $2,500, $1,500 being the clerk's fee and $1,000 for court reporter.

Mr. Cannon was asked by Interstate Press if he would object to the entrance of the NAACP into the case and said—"Emphatically NO, I would welcome their aid and assistance."

Judge Hal T. Adams before whom the insolvency motion is to be heard is ill and a hearing has been postponed pending his recovery.

Florida's Marble-Hearted Conscience

Since the moment black women landed on American shores white men have sought to philander around and prey upon these helpless but beautiful daughters of Jethro. When it was not possible to lure them with gold, and when it became apparent they were dealing with an unwilling subject, white men have resorted to force and violence. Many a black man has lost his life down in Dixie because he happened to be married to a woman for whom some white man lusted.

Black Dispatch

This apparently is the situation revealed down in Florida last week when Mrs. Ruby McCollum, 42-year-old Negro woman, was convicted of having murdered the white father of her child. The testimony revealed during the trial that when she went to Dr. C. Leroy Adams for medical treatment this man who had had sex intimacies with her for six years through intimidation and fear, drew a gun on the mother of his child and threatened to shoot his paramour unless she had sex relationship with him at that time, and despite the fact she denied him solely because she was suffering from an injured arm.

P. 4 13c Fla

An all-white Florida jury, following the rehearsal of this evidence, and the known presence of a half-white child in the McCullon home, convicted Mrs. McCullon of murder without recommendation of mercy, which means that Florida not only condones the rape of black women, but will snuff out the life of any black women who rebels against such bestiality.

Oklahoma City
Okla

It would not make any difference if a man had had sex relationship with a woman a thousand times, the moment she decides not to continue such a relationship, and the man forces himself physically upon her, he is guilty of rape. The half-white child is the evidence that this white man had had previous sex relationship with Mrs. McCullom, but the fact that she shot him with his own gun evidences the fact that she was rebelling against his sexual advances at the moment of his death. But this black woman must die. Such would not have been the decision if Mrs. McCullom had been a white woman, and she, if her face had not been black, would have been freed at a preliminary hearing.

But there is an unwritten law in the South which says there is no justification, excuse or reason why a black woman should slay a white man. In fact no white man takes any responsibility whatsoever when he approaches a black woman. Under no conditions is he required to give this black woman his name, nor is he in a paternity suit required to give this black woman's child his name. This all-white jury decided there were no extenuating circumstances under which Mrs. McCullom could demand reprisals from this sex brute who had broken up her home and brought a nameless bastard child into the world. Here standing out in bold relief is the reason why this publication has fought anti-marriage laws which do not require white men to marry black women by whom they beget children. We want to live in a democratic nation where when a white man approaches a black woman he must assume the same responsibilty he would assume if under similar circumstances he approached a red, yellow or white woman.

Sat 1-3-53

The real and genuine test of a civilization and culture is vested in the respect the men in that society have for their women. Not some women, but all women, and it is because of the view we feel all white women of goodwill and belief in social decency should be aroused at this McCullon case. Statistics show that the spirit to rape is growing in this country especially among white men. We read the report sheets weekly in the sheriff's office and the city police station and those records show a terrible rash of unbridled license which today is visited upon young white women, and we believe this is fairly representative of what is going on all over the nation.

And we are firmly convinced that this spirit to universally disrespect the virtue of women had its genesis in this country in the utter disregard white men have for three centuries had for black women. Viciousness toward black women has finally bred viciousness towards all women, and today a white mother, when her daughter leaves home at night is victimized by the loose sex garment the nation has callously worn, as it winked its eye at the sex carnivals in which white men have engaged with black women after the sun goes down, and he can sequester himself in the privacy of his downtown office or in some den of iniquity in the Negro section.

The decision of the jury at Live Oak, Florida, carries one back to the ancient Dred Scott decision when the finding was "The Negro has no rights a white man is bound to respect." But there is the just law of retribution. Every evil has within itself the seeds of its own destruction. These half white, bastard children are today, undetected, marrying right back into the white race, and marrying without the knowledge of the mob the very white daughters of the rapists who brought them into the world. This writer has a first cousin who has been lost in the white race for thirty years, and there are millions of whites who preach segregation who daily succumb to amalgamation unwittingly. Truly, DuBois was right when he said, "The time to have stopped amalgamation was just before it commenced. After then it was forever too late."

Mrs. Ruby McCollom may soon be immolated upon the hypocrotical cross of lust and marble-hearted power because she repulsed the advances of a white brute who met his death while trying to rape the mother of his child, but even so, God's justice shall triumph. As ye sow so shall ye reap. This civilization is just about to get away from us because of the unbridled lust of white men for all women. The white wife should begin to realize that laws which say white men do not have to marry Negro women is the shield behind which white men hide in their unfaithfulness. White women should join with all persons of goodwill to see that in the future white men must be made accountable for their conduct ar

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Widow Calm

Defender

As She Gets

Sat. 1-24-53

Death Seat

Chicago, Ill.

LIVE OAK, Fla. — Appearing calm and collected, Mrs. Ruby McCullom, 37, heard Judge Hal Adams sentence her to death in Florida's electric chair Saturday for the slaying of Dr. Leroy Adams (not related to the judge) last August in his office.

P. 1

Mrs. McCollum was lodged in the local jail to await signing of her death warrant by Gov. Dan McCarty, as her attorneys prepared to map her new fight for life.

13c

A motion for a new trial has been filed with the Circuit court in Live Oak, containing 58 counts of alleged errors by the state in the murder trial which ended Dec. 20, 1952. The widowed mother was convicted of first degree murder.

Witnesses said Mrs. McCollum shot Dr. Adams as she and the physician quarreled over the amount of her bill.

Tryst Revealed

A court hearing bared intimate relations between Mrs. McCollum and Dr. Adams and a charge that the medic fathered Mrs. McCollum's 15-month-old daughter, Loretta. Adams, 40, was a State Senatorial nominee.

The death sentence was mandatory under Florida law, since the jury which convicted Mrs. McCollum did not recommend mercy.

The widow of the slain Dr. Adams has filed a $100,000 suit against the doomed woman in connection with the doctor's death.

Defender

Mrs. Adams contends in her suit that the death of her husband deprived her of the "comfort, association, protection and support" of her mate."

Sat. 1-24

The McCollum estate includes large blocs of stock in the Central Life Insurance company, of which Mrs. McCollum's husband was a director.

13c

McCollum died last August following a heart attack at the home of his mother-in-law in Ocala,

after a flight from Live Oak with his three children.

'Don't Know Whether I'm Right or Wrong'—Ruby

Courier P.1 Pittsburgh, Pa.

Hears Judge Read Death Sentence

By TREZZVANT W. ANDERSON and JOHN A. DIAZ

LIVE OAK, Fla.—At exactly 6:18 P. M. (EST) last Saturday, Mrs. Ruby McCollum, mother of four children, heard Suwanee County Judge Hal P. Adams sentence her to die in Florida's electric chair for the killing, on Aug. 3, of Dr. C. LeRoy Adams, her white "lover" and powerful state political leader.

Defense counsel immediately filed notice of appeal to the Florida Supreme Court. They have sixty days in which to file.

Ruby showed absolutely no reaction to the words which said she should be taken to the state prison at Raiford and, "at such time as designated by the Governor of Florida, an electric current of sufficient voltage will be passed through your body to cause your immediate death, and this current shall be continued until you are dead."

Sat. 1-24-53

Just about half-way through the sentencing, after he had already told her she must die, Judge Adams remembered that he had forgotten to ask the prescribed question for condemned prisoners: if she had anything to say before sentence was passed.

In a plaintive voice which stirred the spectators in the court room, Ruby said: "I don't know whether I'm right or wrong."

Courier

At the morning session of the all-day hearing, the widow of the slain man had sat in the court room watching the chocolate-brown woman who had said she was the mother of a child by Dr. Adams. Mrs. Adams now has a $100,000 suit against Mrs. McCollum and the McCollum estate. She was not in court when the sentence came, after the defense motion for a new trial had been overruled by Judge Adams.

Sat. 1-24-53

NOT PRESENT was Mrs. Thelma Curry, former nurse for Dr. Adams, who had provided the most damaging testimony against Ruby during the trial. In the court room, when Ruby got the death sentence, was her son, Sam Jr., who had recently been in possession of thousands of dollars in cash belonging to the McCollum estate and who refused to talk about that to the Courier.

Also Mrs. McCollum's brother, Matthew Jackson, and one of the administrators of the estate, Roland Yeates of Tampa, Fla., a Negro. Mr. Yeates disclosed, incidentally, to the Courier that the value of the McCollum estate would probably not exceed $125,000.

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Ruby's late husband, Sam McCollum, owned 100 shares of stock in the Central Life Insurance Company of Tampa, now worth about $25 a share, a 900-acre farm near Ocala, some fourteen houses and his home here in Live Oak. All of this property in is Mr. McCollum's name, and none of it in any joint ownership with Mrs. McCollum. This is significant because it deflates to almost nothing the property liable in the $100,000 suit. His insurance was worth $15,000.

There was tension in the court room all through the day, and as the brilliant defense counsel Col. Frank T. Cannon and Atty. Renord McGriff, both of Jacksonville, presented their arguments, this tension mounted.

Both had said they felt Judge Adams had his mind already made up to refuse the new trial and sentence Ruby, but Colonel Cannon made a fire-power presentation, which forced Judge Adams to use three hours to make up his mind and hand down a written ruling.

The court house clock was striking 6 P. M. as he wound up by saying that Ruby "has had a fair and impartial trial and therefore the motion is overruled." He had rebuffed the fifty-eight defense error allegations by taking them in groups in nine opinions. Date of execution is up to Governor Dan McCarty.

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Pa.
Sat. 1-24-53

Ruby's Defenders— This is the hard-hitting team of lawyers now battling to save Mrs. McCollum from death in Florida's electric chair. Left is Atty. Frank T. Cannon, former Duval County solicitor, chief defense counsel. Right is Rutgers-educated Releford McGriff, Jaxon attorney, first Negro lawyer of record in the case and fifth lawyer employed by Ruby.—Diaz Photo.

Mrs. Ruby McCollum Fires Lawyers; To Plead Own Case

Afro-American P.1 Baltimore, Md.

LIVE OAK, Fla.—Mrs. Ruby McCollum confessed and doomed to die in Florida's electric chair for the killing of Dr. C. Leroy Adams, white physician whom she claims fathered a daughter for her, Sunday, in a jail cell here again verbally fired Frank [illegible] Cannon [illegible] Jacksonville, chief defense counsel.

She also informed him that she had written letters of dismissal McGriff, associate counselors, both of Jacksonville.

135

Mrs. McCollum also advised Mr. Cannon that she had written to the Supreme Court of Florida that [illegible] was her desire to become her own personal lawyer.

Sat. 5-16-53

Mrs. McCollum in March of this year wrote Mr. Cannon a letter dismissing him as her attorney, which he ignored.

13c 1953 Florida

The Life Story of Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

(Editor's note: This is the third installment of the life story of Mrs. Ruby Jackson McCollum of Live Oak, Fla., wealthy widow who has been sentenced to death for the recent slaying of her alleged white lover, Dr. C. LeRoy Adams. A heart attack claimed the life of Mrs. McCollum's husband, Sam, shortly after the slaying of the doctor.)

13c — 7c

The maternal instincts which swept over Ruby Jackson when she was a child were to play the key role in her later life. Dean L. F. Morse of Fessenden Academy says that by the time Ruby passed puberty "she was a very pretty girl, but seemed unaware of it."

Boys and even grown men began to give her looks, but she went on being quiet and reserved, a good student in school and busy about the home and church. She didn't seem to realize that she was posessed of a power that made itself felt upon the men and boys who saw her. How fatal it was to be, time alone was to tell, as the world now knows.

Courier

Ruby's mother allowed her to start receiving company when she was 18, and she seemed satisfied to wait until then with utmost calm. While she was 17, a local youth made an open bid for her heart and hand and boldly made an earnest proposal of marriage . . . only to be turned down.

P. 2

Her seasons? They were a sure indication of what was to come in her heart and what was in her mind: the young man just didn't attract her. He lacked the different strengths she admired in a man. Utterly female, she wanted to be conquered and have a great store of strength to lean upon.

He lacked the "get-up" that she hoped for, and, she felt, a lack of mental vigor, too. "I could not see myself loving a man who could see ten things and not even understand one. I wanted a man who could see one thing and understand ten, a mate would could cope with life and give me protection."

During this period, she was seldom allowed to go to Ocala, the nearest sizable town, but she found activities around Martin where she lived. She became extremely active in church work and was a delegate to the Sunday school conventions and the district conferences.

Pittsburgh

* * *

HER CLOSE friends were the heart of all the activities in Martin. Ruby organized a singing-band made up of her brother, Clemon; Sarah Davis, Tommie Lee Ward, Helen Smith and herself. Ruby sang lead and the group became widely known in the area, singing for churches and other such gatherings.

Upon her graduation from Fessenden Academy, Ruby taught school for a year at New Chapel, a small community not too far from Ocala. She must not have cared much for this experience because there is no comment about it, nor is there any comment about why she did not continue after that one year. She just taught school for a year, period.

Ruby Was 17 When She Got 1st Proposal

SONJA McCOLLUM

. . . spitting image of Ruby

But it was about this time that the new shape of things to come began to make itself felt within her, Internally, she began to sense a lack. There was no one around whom she could drape her intense feelings, her great capacity for love.

* * *

SHE HAD made a tremendous discovery! She found that she had a singular power over men: It was no trouble at all to bend them to her will. She was one of those females who appear now and then in human history. Something drew men to her and bound them!

Ruby had confidence in her powers, but it was a disappointment in a way: **she moved men, but—so far—no man had ever moved her!** It was in this period around eighteen that she began to have recurrent dreams. There were four to the series. Of these, only one was clear so that she could remember the details upon awakening.

In this dream she found herself in a strange community and entering a large, beautifully furnished home. She was not only expected there, she was welcome. A muted, throbbing rhythm said over and over: "Come to me! Come to me!" Somehow it seemed to be her home. Love and satisfaction radiated the place.

This dream troubled Ruby. Walking around the little four-room house that was her home in Martin she could not imagine why she should dream of so much comfort and luxury being hers. At that time, Ruby Jackson had never heard of the sub-conscious. It never occurred to her that she might have wishes that had never emerged into the conscious.

Oct. 3, 14 53

* * *

SHE SAW as a prophetic sign, though how such a thing was to come about, she had no idea. The years were to prove her right! Years later, in Live Oak, she was to recognize the house the moment she saw it. It had been built by a Negro bolita banker. whom her future husband—Sam McCollum—was to defeat and come into possession of the nine-room house!

At eighteen Ruby was full of internal conflict. As yet she had been attracted to no man. She had been trained to despise and fight against physical pleasures and desires as sinful things inspired by the devil. She had had that background at home.

So, naturally, she was distressed to find that so many men leered at her. Young and old men of her own race just could not seem to pass her unnoticed; white men winked their eyes at her and followed her, or secretly nodded at her to please follow them. The only part she liked was the secret knowledge that she had power over men.

NOW, WITH her shapely and well-developed body blooming, she felt herself a woman. She had laughed and worked and suffered to a certain extent. There had been a hurt in her life which she had revealed to no one. Her tears had been in utter secrecy. Now she began to feel an emptiness in her existence.

She felt like a blossom on the bare limb of a pear tree in the spring . . . opening her gifts to the world, but where was the bee for her blossom? Yes, numerous men had gazed on her with open desire, but so far their looks had raised no mingling-blood call in her.

She wanted beauty and poetry mingled in her life, something to make her everyday side-meat taste more like ham. Sometimes, deep, deep in the mood of her strange yearning she would picture herself reclining on soft grass in a beautiful rose-scented setting on a white moonlit night.

Ruby Jackson was now ready for life and love!

Ruby's Plea Is Denied!

LIVE OAK, Fla.—Ruby McCollum is one step nearer the electric chair.

Courier

Friday she sat stoicly in court here and heard Judge Hal W. Adams refuse to grant her insolvency plea so that she may be declared a pauper in order that Suwanee County could be petitioned to pay court costs for her appeal to Florida's Supreme Court.

p. 1

Dec. 6, 53

She heard Judge Adams . . . who had already sentenced her to death in the slaying of Dr. C. Leroy Adams, prominent local physican, last August . . . tell her to look to the estate of her late husband, Sam McCollum, for relief.

Pittsburgh

It was the same Judge Adams who had ruled in favor of an $85,000 judgment of Mrs. Florrie Adams, widow of the murdered man. This judgment gives Mrs. Adams control of Mrs. McCollum's share of the $135,000 estate of the late Mr. McCollum.

* * *

ATTY. FRANK T. Cannon, one of Mrs. McCollum's three attorneys, told the court that telling Mrs. McCollum to look to the estate for assistance in the matter was like giving her a pistol and telling her to go out and commit armed robbery.

Courier

Dec. 6, '53

He reminded the court that Mrs. Adams, by virtue of the $85,000 judgment against Mrs. McCollum, was the owner of the doomed woman's one-fifth share in the estate, since this amount was three times over Mrs. McCollum's interest.

He also brought out that under the law the minor children could not contribute to the defense since administrators and guardians could only disburse funds needed for their aid, comfort and welfare.

Judge Adams was told that the estimated cost of an appeal to Florida's Supreme Court would run about $2,500 in fees alone.

* * *

"UNLESS funds are provided to cover these costs by Suwanee County, or from private sources, Mrs. McCollum's appeal to the Supreme Court will not be perfected and therefore she will die in the electric chair without having her plea heard by Florida's high court," Attorney Cannon said.

The court heard Mrs. McCollum testify that **Attys. Frank T. Cannon, Releford McGriff and P. Guy Crews, all of Jacksonville, are still her lawyers. This spiked reports . . . including a letter read by Judge Adams in court . . . that Mrs. McCollum had fired her lawyers.**

She also told the court that **she is the mother of four minor children, giving their ages, and that because of the judgment of Mrs. Florrie Adams she is absolutely broke.**

The Life Story of
Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

(Editor's note: This is the fourth article in a series dealing with the life of Mrs. Ruby Jackson McCollum of Live Oak, Fla. Mrs. McCollum has been found guilty of the slaying of her alleged lover, white Dr. C. LeRoy Adams, and sentenced to death. The series so far has dealt with childhood days of Ruby Jackson. In the following article, she meets and weds Sam McCollum.)

13 Fla

* * *

THE sun had gone home, leaving its footprints in the sky. The drifting mists gathered in the west to arm with thunders and march forth against the world. Lightning flashed against the horizon and the thunder rolled into crescendoes. Ruby Jackson stood at the front gate of the Jackson home in Martin, Fla., seemingly unconscious of the approaching summer storm.

She stood there questioning fate. For some time now she had been living at her own front gate, ready for departure. Internally, she had outgrown the confines of Martin, Fla.

The horizon of the world was her hatband. Ruby longed for fulfillment of her natural desires, and so she was restless beneath her always outward calm. Neither relatives nor friends suspected the intense fires that raged within her.

Ruby now was twenty years old and, yes, she wanted a mate. She was of a good respectable family in Martin, unsoiled by the l[illegible]nd wash of slander. She was considered physically attractive, and what there was to choose from in her community she could have had.

Courier p. 3

Pittsburgh Pa.

* * *

BUT BY NATURE, Ruby did not walk in footprints. Secretly she saw no reason why her life must follow the pattern of her surroundings. Her family and friends did not know the real Ruby and she was conscious of it. "Often," Ruby said, "you can make people follow you, but almost never can you make them understand."

Yes, like all girls of her age, she had flirted briefly here and there. She found something dead about the young men she had known, so inside [illegible] she drew way as mortals [illegible]om a corpse. She was looking for LIF[illegible]

Dat. 3-21-53

Now she had met Sam McCollum, a young man a little older than herself. The McCollums were prosperous farmers over at St. Peters, a small community near Ocala, Fla. That had been nearly a year ago and Ruby was still thinking Sam over.

* * *

SHE WAS attracted to him, but she debated whether or not he had what she wanted. She wanted many things that her life and surroundings so far had not afforded her. At times she felt that Sam had in him that which would bring fulfillment of her dreams and then, again, she wondered.

Was Sam McCollum masterful enough? That was what she debated within herself as she stood at her father's gate that day at sundown. Internally, she was ready to set out on her journey to the big horizon. Was Sam the vehicle to take here where she wanted to go?

Sam attracted and charmed her more than any man she had met so far. He had both mental and physical vigor. Secretly, he stirred her tremendously. He was full of things. Sam made a little summertime out of a seemingly nothing and they both lived off it for the hours that they were together.

* * *

SILENTLY unsatisfied by her narrow surroundings, she had been fumbling around the door-knob of life and Sam McCollum had opened that door! If only she could be sure of his capacities, she would love him for it. But so strong were her desires that she felt that she was not yet ready to commit herself. Better wait and see.

She had met Sam McCollum at her church. He had come to attend a special program that Sunday afternoon nearly a year ago. Ruby had a leading part in the program in addition to her group singing. Sam saw her and he liked what he saw.

It took nearly two more years for Ruby to finally make up her mind to marry Sam McCollum. In that time she discovered that Sam had what she wanted. He was witty and gay, and beneath his casual exterior Ruby found that he had drive and ambition in him. He had a way of commenting and saying things that were always entertaining. And his small community did not satisfy him, either.

* * *

THOUGH THE McCollums had a going farm. Sam took to picking oranges—quick and generous pay—and construction work. He often went away from home on jobs like that and came back with a pocket full of money and stories of what he had heard and seen in the larger and outer world where he had been.

Outside of her own requirements in her future husband, Ruby had another obstacle to overcome. The McCollums were something less than enthusiastic about her. After she began to go steady with Sam, his brother, Buck, and his father came over to Martin frequently, but the rest of his family held aloof.

But, even Buck warned Sam that Ruby was inclined to be too possessive and domineering. They accused her of seeking to cut him off from his family. She must be the "be-all" and ruler of his mind, and Buck saw his brother crumbling before the determined Ruby Jackson, for all her quiet ways.

Brother-in-Law Predicted Ruby's Fate!

"I told Sam years ago that woman was going to kill him," Buck raged when he heard of his brother's death. "He had got so under her influence that he wouldn't listen to me." (Sam McCollum died of a heart attack after his wife killed Dr. Adams.)

* * *

RUBY JACKSON felt certain of two things when she became Mrs. Sam McCollum at at a quiet home wedding at Martin in 1931: she was sure that she had a go-getter, a winner in economic ways and a vigorous mind, and she felt certain that the opposing McCollums could be no trouble to her with Sam.

Sam had a construction job in New York and he and his bride went North immediately. In the years to follow, they went many places together. In those years Ruby was almost completely happy. Her world had expanded marvelously and, by comparison, she handled plenty of money.

From the very beginning, Sam brought home his money and handed it over to Ruby and she managed things. There was only one tiny dissatisfacion in Ruby's love of her husband . . . Sam did not rule her enough.

* * *

THE GREAT tragedy that engulfed them in 1952 might have been avoided had Sam only understood Ruby better! From the beginning of their life together, the tiny seed of despisement had already been planted.

Ruby proved a good and industrious wife. She was a wonderful cook, sewed well and kept a clean house. She was a very devoted mother. Without too much taste in clothes, she was neat and attractive in her clothes.

But there, perhaps, she was wiser than most people thought. When a female body is too guadily dressed, it is possible for the male mind to lose the connection.

Ruby, brought up in a very religious home, knew even before she married Sam that, though he always worked, he gambled on the side and thus increased him income. Her femaleness is such that she accepted all parts of her man. She did not gamble herself, but she was with him in spirit.

* * *

IF SHE CUT him off to an extent from his own blood relatives, she also cut herself off from her own, in her loyalty to her man. Their families knew nothing of the relations between Sam and Ruby.

Her attitude was such that her even stern, religious parents came to look upon Sam McCollum as the perfect husband and son-in-law. The young couple led their own life as they moved about from job to job, now Florida, now North again and back.

What with his work and successful gambling, they were boarding up money without as yet making any flash. Both were proud and happy about their son, Sam Jr., who came to them more than a year after they were married. He was born into a loving, affectionate, charmed family circle.

13c 1953 FLORIDA

Believed Mentally Ill

RUBY DAZED!

Living In State Of Fear

(Special to the Courier)

LIVE OAK, Fla.—A reliable source told the Courier this week that Mrs. Ruby McCollum may be on the verge of losing her mind through "fear of the unknown."

13c Fla

The source fears that the subterranean recesses of Mrs. McCollum's subconscious mind are being closed against reality. The Courier was told that Mrs. McCollum had been found, by visitors to her cell, wrapped up in a blanket or sheet and huddled in a pitiful mound upon her cell bunk.

Ruby, the Courier was told, has repeatedly expressed the fear that she may be "killed" or "poisoned."

Courier

THE SOURCE of this "fear" is locked within the recesses of Ruby's mind, giving cause for observers to think that she may be on the actual brink of becoming mentally unbalanced.

P. 1

Subjected to the constant probing of public curiosity since she shot white Dr. Leroy Adams, newly elected Florida solon, in his Live Oak office in 1952, Mrs. McCollum has been under a severe mental strain.

Pittsburgh

Since the fatal shots rang out and Ruby was taken into custody, the story of her clandestine relationship with Dr. Adams, which has been largely ignored by the white press, has become common knowledge to readers of the Negro press.

Pa.

Sat. 5-2-53

Her husband, Sam, has died, and she has seen her once imposing fortune chewed away by the fight to save her life, and the suit brought to bear against her by the widow of the deceased medic.

Whether or not Ruby can continue to retain her sanity with a death sentence staring her in the face is something that only her own mind can answer.

Medical Examination Urged by Courier

LIVE OAK, Fla.—Is Ruby McCollum of sound and sober mind?

Is the 37-year-old "widow of destiny" . . . mother of four children . . . breaking under the strain of disastrous events which have haunted her day and night since that fateful morning of Aug. 3, 1952?

The Courier believes that this COULD be the case. And so . . . we are respectfully requesting that the State of Florida give Mrs. McCollum a thorough physical examination!

JACKSONVILLE, Fla.—The Florida State NAACP has been asked to enter the case of Mrs. Ruby McCollum, the Courier learned this week. Meanwhile, a motion declaring Mrs. McCollum a pauper failed to come up for hearing due to the illness of Judge Hal Adams.

Courier p. 1

We want the State of Florida to engage the services of competent medical counsel to determine whether Ruby McCollum is sane . . . or not sane!

We want the State of Florida to give Mrs. McCollum the same consideration that other states have given women suffering from mental illnesses . . . if Florida satisfies itself that Ruby is mentally ill.

Sat. 5-9-53

From a number of unrevealed sources, this newspaper has been informed that Ruby has been acting queerly of late.

Pittsburgh Pa.

We have heard that she is not acting as a normal woman should. And we are convinced that something must be done.

For months, this newspaper has been trying . . . unsuccessfully . . . to get into the jail which is now Ruby's home. We want to interview her. We want to talk with her. We want Ruby to tell Courier readers . . . in her own words . . . all of the events leading up to the morning when she walked into the office of Dr. C. LeRoy Adams . . . and snuffed out his life with a blazing revolver!

Courier

We have sent our best reporters into Florida to dig out the facts. But none of these reporters have been allowed to interview Ruby.

Pa.

And so . . . since we can't talk to Ruby and find out for ourselves . . . we are asking the State of Florida to do the job . . . and then report its findings.

5-9-53

* * *

Since the morning of Aug. 3, last year, Ruby's life has been a continuous "Hell on Earth."

FIRST . . . Sam McCollum . . . Ruby's husband, died of a heart attack shortly after he had fled Live Oak, with his children, to escape the wrath of a mob.

SECOND . . . Ruby discovered that her husband's wealth was of little or no avail when a Negro woman, no matter how prominent, kills a big white man in the South.

THIRD . . . during the trial, Ruby discovered her contention that Dr. Adams was her lover and the father of her last child, was not sufficient to change the minds of the jury.

FOURTH . . . Ruby sat in stunned silence as the jury . . . in a Suwanee County courtroom found her guilty of murder on Dec. 20, last year.

Sentence was withheld after defense counsel filed a motion for a new trial.

FIFTH . . . on Jan. 24, this year, Ruby was sentenced to die in the electric chair by Judge Hal P. Adams (no relation to the deceased) in this city.

SIXTH . . . Mrs. McCollum is now in the county jail awaiting a decision by the State Supreme Court on an appeal motion filed by her lawyers.

SEVENTH . . . Mrs. McCollum, who, under the law, is entitled to only one-fifth of the McCollum estate, valued at $125,000, recently lost an $85,000 lawsuit to the widow of the man she killed.

Courier P. 1

Sat. 5-9-53

Pittsburgh Pa.

* * *

Troubles . . . troubles . . . toil and struggle!

And today, from her tiny cell in jail here, Ruby is living in the past. Alone and friendless . . . broke and broken . . . she crayons the passing of the days on her calendar . . . sees the days and night come and go . . . and contemplates a future without a ray of hope.

Is it any wonder that some people believe she has broken under the strain? How great a load can this sorrow-burdened woman carry!

Is Ruby sane?

This is the question the Courier wants the State of Florida to answer!

Ruby! Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow:

Courier P. 2 Pittsburgh, Pa.

I am unable to keep my mouth shut after reading Mrs. Mitchell's line, "God is not man." Man is not God either and this one does not try to be. Any black woman that cohabits with a white man in Florida gets no sympathy from me. I have no objection to interracial marriage but Florida does not allow it and Ruby knew it. She had money, good home, and a husband. She did not need to sell her body and soul to a man who would join a lynch mob to lynch her own son. Ruby and all prideless Negro women like her, and there are many . . . are drawbacks to our rise to respectability and should be hung by black men before white men get the chance. Ruby should have been hung long before this, and by the black men who must have known. There are too many Rubys in every Negro community and I say of her good riddance and may God have mercy on her soul.

WILLIAM D. ALFORD,
Brooklyn, N. Y.

Dat. 5-9-53

* * *

I think we should be more careful about our attitude toward Ruby. Just think how much misery she is in . . . to think that her own race is against her. This could have happened to a colored man as well as it happened to Dr. Adams. So why don't we be for Ruby instead of against her?

SHIRLEY ALLEN
Vienna High School sophomore
Pinehurst, Ga.

* * *

Had Dr. Adams killed Ruby he would be free. So why not stop giving everyone a chance to talk about your paper being "trash," "rubbish" and "garbage." It smells of deceit. We are not paying twenty cents for Ruby's life. There are hundreds of Rubys out in the world still doing what she has already done. They are not being shamed for what they are doing. Why can't the average colored woman see that. Some are running with white men for smartness, then there are others for "I told you so" and "I can get him and his money." It's nothing to be proud of. Ruby was being unloyal and unfair and did not for one time think of her children. Why not write about the life of Mrs. Adams during Dr. Adams adventure with Mrs. McCollom? That would really interest me. There are so many more who would like to read about the Mrs. Adams. I wrote this for a crowd of people who think and see this thing as I do. I am a Negro, aged 23.

ALBERTA E. JONES
Pompano Beach, Fla.

* * *

Why condemn this woman because she went with a white man? After all we're all the same. What is so different about a white man? The trouble with the colored race is that we are always carrying a big chip on our shoulders. I say more power to anyone, black or white, if they find they can make a go of it. I find nothing wrong with the two races mixing. I think if we had more of it there wouldn't be all this business about segregation. If I were single again, I think I'd have as many white friends as colored.

THELMA SWEENEY
Pittsburgh, Pa.

* * *

Considering what I have seen of colored women and white men, Ruby takes the prize. Being reared in the South, it's not exactly news to me. But the few women I knew lived under such circumstances were not as fortunate as Ruby McCollom. What they made then on domestic jobs was $2 per week and $2.50 was top price. They crossed the color line to make ends meet. Some I knew were supplementing their income to support parents. They went with the man for his money. We all know that Ruby was an independent woman. If Sam McCollom killed her love for him, so have lots of other husbands. Lots of us have had our loves killed by husbands and we couldn't find any soothing balm or healing waters in the white man's love. We must be broadminded enough not to let sympathy stand in the way of justice. Someday we may be called upon to sit in a jury seat. When the time comes, don't let our narrow thinking cause us to be weighed in the balance and found wanting.

LILLIE MAE JONES
Eastman, Ga.

* * *

I have studied the case against Ruby McCollom and think that it was built upon a foundation of hypocrisy. I consider it nothing more than a miscarriage of justice. It is not my desire to state here that every individual guilty of murder should be released only to kill again, but I would like to see the balance of justice upheld. In God's named, was there any form of justice or mercy prevalent in the court proceedings against Ruby McCollom?

SGT. EMERY G. SAUNDERS
Amarillo AFB—Amarillo, Tex.

* * *

Why not drop "What the People Think About Ruby." I think the race knows by now that she was one of many no-gooders. The wages of sin is death. I do think we should respect legal marriages and, remember, very few if none of our men ever rape white women. That's more than Negroes can say about many of our women, years ago and our men dared not open their mouths. Don't think that every Negro that looks into a mirro is very happy about being mixed up. I for one get bitter, because I know and was told by my dad what they did to hi: mother back in the old days down South.

"PROUD NEGRO WOMANHOOD"
Larchmont, N. Y.

Courier P. 2

* * *

I am praying for Ruby. She has done no worse than some of these old retired, reformed hens that's talking about her. Most women of the colored race are heads of courts of lodges, chapters, and big leaders of church work. Let's pray that sin will not be encouraged in high places for as a man thinks in his heart, so he is. Search the scriptures for in them ye have eternal life.

Pittsburgh, Pa.

MRS. DIXIE LEE JAMES,
Lubbock, Tex.

Dat. 5-9-53

* * *

I think Ruby is a disgrace to our race simply because our highest and most respectable people must bear the brunt. The lowest white man thinks he can get any Negro woman he desires. Ninety-five per cent of white men look upon Negro women as immoral, without virtue, dignity, or principle. We know this is not true but as long as there are women like Ruby and many other Negro women with no pride or race virtue, all of our women will have to bear the brunt. That's why white men refuse to marry Negro women as long as they can skip around dark alleys, pick them up on corners, meet them in slums, and use them as freaks. What do we expect? Where is the Negro woman's soul? And after they do these nasty tricks then they think some poor hardworking colored man should treat them as angels. I love my women. I want them respected by all men. Why should they slip around with any man? They should demand the same respect from white men that the white men gives the white women. Why not come out in the open with him? Is it because he is ashamed of you? I'm for interracial marriage, for race mixing, but on the basis of respect, pride and equality in pride for each individual toward another.

EARL HOOKS,
Cleveland, Ohio

* * *

Let us all pray for Ruby's poor soul and the sakes of those children. Let's not condemn this woman. We don't know what happened in this creature's life . . . yes, she had money and lots of it, but she really forgot her money and pride. God forgives and we will have to. It was Dr. Adams' fault, also. He should have stayed in his place. We colored people should look back at what our forefathers went through and then decide whether or not we are loved so much by those white people. Prejudice is still in their blood and always will be.

MRS. ELIZABETH THOMAS
Pittsburgh, Pa.

* * *

Some seem to think that Ruby did not break the Seventh Commandment. Let us do all we can for Ruby, but one of the great dangers of this age is the increasing tendency to rationalize away sin. Ends do not justify means. Remember: "There is a way that seemeth right unto a man, but the end thereof are the ways of death."—Prov. 16:25.

EUGENE WILLIAMS,
A Theological Student
Huntsville, Ala.

In Florida

2 Hospital Workers Found Slain

Courier

P. 1

BARTOW, Fla.—The bodies two Negro youths, probably slain because of their being "too friendly" with white nurses of the hospital at which they were employed, were found in a pasture one mile north of the small town of Pierce near here last week.

The corpses of Tommy Lee Lumpkin, 17, and Louis James Nichols, 19, bore bullet wounds in addition to their throats being cut, according to Deputy Sheriff Gordon Dayton.

The victims had been employed at the local Polk County Hospital. On the spot investigation disclosed that the youths had been "friendly" with the nurses at the hospital.

* * *

WELL-THOUGHT of here in their hometown, the youths disappeared Wednesday after they borrowed a car from another employe of the hospital, Theodore Taylor. The sheriff said that the slain youths had been dragged from the car [illegible] brutally attacked.

Their bodies were found about forty feet from where the car was found. The NAACP, from its Tampa head quarters, announced that it was launching an immediate probe of the killings.

13c 1953 FLORIDA (LEGAL SENTENCE)

Man admits killing other 3 confessed

TAMPA, Fla. — A life term convict says he is really the one who nine years ago killed a Tampa tailor. Three other men have sworn they did the killing.

Afro American

State Attorney James M. McEwen said last Saturday, Walter Bates made an oral confession to him and others at the state prison at Raiford, that he killed Steve Palakas, 65, in 1944.

McEwen said Bates stated his conscience and the "power of religion" forced him to make the confession.

Baltimore Md.

Three Confessions

Here is the way the other three colored men made their confessions:

13C

Curtis Gordon pleaded guilty at his trial and was sentenced to life imprisonment.

Arthur Williams was convicted but the state supreme court ordered a new trial and Williams was freed by a directed verdict of acquittal. He later died.

Sat. 12-26-53

Convicted Of Assault

McEwen said Alonzo Washington of Jacksonville, shortly before he went to the electric chair in 1948 for conviction of criminal assault, confessed he had a hand in killing Palakas and implicated Bates.

p. 3

When conforonted with Washington's confession, Bates denied any knowledge of the Tampa slaying. But later McEwen went to Raiford, talked to Bates who said his conscience bothered him and the "Power of religion" made him admit the slaying.

Bates is serving a life term for criminal assault in 1946.

Gordon was paroled in 1950, went to Key West and led a peaceful life until recently, when he was charged with stealing two pints of whisky. He posted $250 bond, which he forfeited when he failed to appear for trail.

13c 1953 Florida

The Life Story of
Mrs. Ruby J. McCollum!

13c
40

By ZORA NEALE HURSTON

(Noted Author, Lecturer, Writer and Novelist)

(FIRST ARTICLE IN A SERIES)

"... And on the signing of the order by the chief executive of the State of Florida, you shall be removed to the State Prison at Raiford, and there electric currents shall be caused to pass through your body sufficient to cause your death, and to continue until you are dead ... and may God have mercy upon your soul!"

Prayer and Church Services Featured Ruby's Childhood

It was the climax to the life of a Florida woman whose story has rocked an entire nation. These were the fateful words pronounced by Judge Hal W. Adams of the Circuit Court of Suwannee County, Fla., as the shadows of dusk fell on Jan. 17, 1953.

The words were pronounced in a choked voice and they were addressed to Ruby McCollum as she stood before the bar to hear her sentence. Her left elbow rested casually on the back of the chair that had been occupied during all of the hearings and the trial by the State's Attorney who had prosecuted her and won a first degree murder conviction against her.

What thoughts passed through her mind as she fleetingly reviewed her entire lifetime in one brief moment, only Ruby McCollum knew. Outwardly calm and self-possessed, Ruby McCollum returned to her seat at the counsel table.

The discerning spectator could not avoid the conclusion that here was no ordinary mortal, no cringing victim inadequate to its fate. There sat an extraordinary personality. Here was a woman—a Negro woman with the courage to dare every fate, to boldly attack every tradition of her surroundings and even the age-old laws of every land.

Her closest relatives and the people who said they knew her as a friend or associate express profound and painful surprise. Mrs. McCollum—born Ruby Jackson—had nothing of daring, nothing out of the ordinary in her. Always quiet with little to say and utterly absorbed in ordinary domestic affairs. What had changed the Ruby they knew so strangely?

Courier

THE TRUTH IS that nobody, not even the closest blood relations, ever really knows anybody else. The greatest human travail has been in the attempt at self-revelation, but never, since the world began, has any one individual completely succeeded. There is an old saying to the effect that: "He is a man, so nobody knows him but God."

As to what has come about in the life of Ruby Jackson McCollum, perhaps it was inevitable from the hour of her birth, as humble and unnoticed as it was. An Arab proverb says: "The fate of every man hath he bound about his neck." We are born with our own climate which shall create the outward circumstances which people carelessly say determined our course.

Fatalists contend that it was there in the seed already at birth. So, the ordinary-seeming little boy born on the island of Corsica becomes the Emperor of France and the most renowned military figure the world has ever known, but he died on St. Helena still imperfectly known.

P1

Pittsburgh

So, thus, we go to search out the beginnings, the early years of Ruby Jackson McCollum who has been sentenced to die for the fatal shooting of Dr. C. LeRoy Adams, nominee for the Florida State Senate, the most successful doctor of medicine in Live Oak, Fla., and easily the most popular man in the entire area.

* * *

HE WAS A broad-shouldered six-footer with magnificence of body and an irresistible smile, a handsome white man whom women of both races seemed unable to resist. He was the charmer who fell before the blazing gun of Ruby McCollum, the slightly built, soft-spoken Negro woman, on a Sunday morning in August, 1952.

Sat. 2-28-53

Certainly, there was nothing in the early life of Ruby Jackson, later to become Ruby McCollum, that made relatives and neighbors see anything that might hint of what was to later come to pass. That, probably, was because the average person takes it for granted that silence means a lack of thought and internal activity.

It is rarely considered that thoughts too profound for words might be surging through an individual like a great underground river, unless and until it bursts forth like an awesome Niagara or Victoria Nyansa. That was undoubtedly the case with Ruby McCollum.

* * *

RUBY IS THE second child of William and Gertrude Jackson. Clemon Jackson, now a barber in Ocala, Fla., was the first-born. Ruby followed him into the world two years later. William Jackson, who died in 1949, was a successful farmer with his farm hard beside Fessenden Academy at Martin, Fla., about eight miles from Ocala.

The Jacksons were never rated as wealthy, but were classed as good-livers by all standards. Cattle was the chief product of their farm, but William Jackson saw to it that there was always an abundance of foodstuffs planted so that his family of seven would have plenty to eat.

There were four girls and three boys in the clan. There was always plenty of milk and butter and country-cured meats; they raised sugar cane, and so had plenty of syrup to go with hot cakes on winter mornings.

The house was small for such a large family. It had four rooms with two set aside for bedrooms. Typical of the Southern country home, there was a front porch with a swing under the big oak tree that stood beside the front porch. A smaller china-berry tree was at the other side.

* * *

BOTH PARENTS of Ruby Jackson were deeply religious. Her father was a steward in the African Methodist Church, while her mother was Sunday School superintendent and later a stewardess. Their home was one of those where family prayer and group singing of hymns and Sunday School songs were habitual.

Naturally in such a home, nobody danced, and playing cards was not even allowed on the premises; not even dominoes or checkers were allowed. That would seem to this stern and devout couple too much like harboring the very works of the devil.

Such was the atmosphere surrounding the very early life of the child Ruby Jackson, later to become Ruby McCollum.

McCollum Estate Valued In Excess Of $135,397

13c Fla

LIVE OAK, Fla.—An apprasial value of the estate of the late Sam McCollum, who died of a heart attack in Zuber, Fla., on Aug. 4, was fixed Friday at $135,397, exclusive of the homestead. Afro Am

Mr. McCollum was mortally stricken the day following the pistol killing by his wife, Mrs. Ruby McCollum, of Dr. C. Leroy Adams, local white physician and senator-elect, in his office here. P-21

Temporary fees and commissions for the administrators, Matthew L. Jackson of Live Oak, and Roland Yates of Tampa, were allowed $600 each for temporary fees and commissions as services charges.

Baltimore

Attorney Nets $5,000

The order was signed Saturday by County Judge J. M. Hearn of Suwannee County, before whom the matter was heard. Dat. 2-21-53

Temporary attorney fees for J. L. Blackwell of the local bar, who represented the administrators, were fixed at the same time at $5,000.

Judge Hearn's order decreed "that said attorney has, in addition to preparing all papers and pleadings filed in the settlement of the estate of the late Sam McCollum, has successfully defended a suit against said estate brought by one Mrs. Florrie Adams."

Mrs. Adams, wife of the late Dr. Adams, claimed damages against the McCollum estate in the sum of $100,000.

Judge Hearn ordered that a check be drawn for $5,000 in behalf of Blackwell. the attorney.

Mims Bombing Quiz Under Way

Afro Am

MIAMI, Fla.—A federal grand jury will launch an inquiry on Feb. 18, into the 1951 Christmas Night bombing in Mims, Fla., which caused the death of two persons.

P-1 Dat. 13c

The bombing is the one in which Harry T. Moore, NAACP official, was killed as he slept in the bedroom of his Mims cottage. His wife, Harriet, died a few days later from the blast injuries. Baltimore

2-21-53

The same jury scheduled to probe the Mims explosion has been investigating the Carver Village bombings in Miami in 1951. L. E. Broome and Emory S. Akerman, special assistants to the attorney general, have been directing the jury's work.

J. E. Hoover Bares Arrest Of Minnick

Afro Am

Coldblooded Deed Held Federal Civil Rights Violation

P.1

HOMESTEAD, Fla.—The federal government Wednesday took Vernon Minnick, policeman, into custody here for the Christmas Day, 1952, killing of a Homestead man as his aged father looked on, pleading to the officer, "please don't kill my son."

13c Fla

The Justice Department announced that the slaying was in violation of federal civil rights statutes. Baltimore

FBI Director J. Edgar Hoover, who announced Minnick's arrest, said that a federal complaint was filed at Miami charging Minnick with a civil rights violation in the fatal shooting of Emmit Jefferson, 31-year-old handyman, allegedly while the latter was resisting arrest.

Previously Indicted

Minnick already was under one civil rights indictment. A federal grand jury in Washington returned an indictment against him 10 days ago on charges that he beat up a colored prisoner in the District of Columbia more than a year ago, while he was a member of the police force in Washington.

Dat 2-21-53

Judge Dismisses Lawsuit Against Mrs. McCollum

Courier

P. 1

Atlanta

LIVE OAK, Fla. — The $100,000 damage suit of Mrs. Florrie Adams, which grew out of the pistol slaying her physician-senator elect husband, Dr. C. Leroy Adams, for whose death, Mrs Ruby McCollum has been sentenced to the electric chair, has been dismissed by Judge R. H. Rowe in Madison.

13c Fla Dat 2-10-53

The suit was filed against the estate of the late Sam McCollum, who died of a heart attack in Zuber, Fla., the day after the murder.

The case had its beginning August 3. when Mrs McCollum was arrested on suspicion of murder in connection with the fatal shooting of Dr Adams whom she said fathered her 15-month-old daughter. She was found guilty and sentenced to death by electrocution.

The estate of Mr McCollum was represented by Atty Frank T. Cannon, former County Solicitor of Duval County, who also represented Mrs McCollum in the murder trial. He is appealing the verdict and is fighting to get her sentence reduced to life in prison.

13c Fla

Meanwhile, Mrs. McCollum has begun civil action in Sumannee County for a full supplemental family allowance of $3.000. This petition states that Mr. McCollum was survived by four minor children Sam McCollum, Jr, Sonja, Kay and Loretta McCollum, and estate valued at approximately $75,000.

Sam McCollum is attending the University of California, and the petition asks that funds be made available so that he can complete his school training.

Ruby Must Pay Widow Of Doctor

13c Fla

LIVE OAK, Fla. — Attorneys for Mrs. Ruby McCollum have agreed that they have no defense against the claim made by Mrs. C. LeRoy Adams, wife of the physician, who was slain by Ruby. Courier

The attorneys, however, uncovered a Florida law which ruled that a man is not liable for the wrong doing of his wife. Therefore, Mrs. Adams $100,000 suit against the McCollum estate was withdrawn and replaced by a $27,000 suit against the share that would be inherited by the convicted Mrs. McCollum.

* * *

P. 1

COURT APPRAISERS have set the McCollum estate at $137,397, of which Mrs. McCollum is to receive a one-fifth share.

Dat. 3-7-53

Attorneys' fees have already been set at $15,000 with the courts having made an assignment of $10,000 to one of Ruby's lawyers with another attorney entering a claim of $27,000.

In the meantime, Sam McCollum's newly discovered son, Kenneth, who is claiming a share of his late father's estate will prove by birth certificate that he is entitled to his claim. The newest McCollum is represented by Horace F. Hill, who claims there is no doubt that he will prove that Kenneth is the son of the late husband of Mrs. McCollum.

According to legal experts, claims made by attorneys for services will take precedence over the judgment granted to Mrs. Adams which will not be less than $27,000.

McCollum Estate Damage Suit Set

Afro-American p. 21

13c Fla

Medic's Widow Seeking Doomed Woman's Share

LIVE OAK, Fla.—The damage suit hearing of Mrs. Florrie Adams, whose husband, Dr. O. LeRoy Adams, was fatally slain by Mrs. Ruby McCollum, in which she is seeking the latter's share of the $135,336.36 McCollum estate, has been set for Monday, March 23, before Judge Hal Adams, no relation to the deceased.

Baltimore Md.

Mrs. Adams's original suit against McCollum estate for $100,000 was recently dismissed by Judge R. H. Rowe in Madison. Under the Florida law, a husband is not responsible for the criminal acts of his wife.

Sam McCollum, Ruby's husband, who fled the scene shortly after the slaying, died the next day in Zuber, near Ocala.

It is reported that he died of a heart attack.

Farflung Interests

The McCollum fortune is said to have been built upon far flung farming interests, the bolita racket in which Sam was recognized as "kingpin," and vast holdings in the Central Life Insurance Company of Tampa.

It is believed that if Mrs. Adams should be successful in her suit against Mrs. McCollum, the latter in the last stages of her case may have to come before the Court as a pauper.

Attorney W. T. Cannon, chief defense counsel, has already filed an assignment against Mrs. McCollum's share of the estate for his fees.

Gets Same Judge

Ironically enough, Judge Adams, who on Jan. 17 passed the death sentence upon Mrs. McCollum after an all-white jury had, without recommending mercy, found her guilty of murder in the first degree, will preside in the damage suit.

Judge Adams, in turning down a motion for a new trial, said "no" to the 58 errors noted by defense attorneys during the trial.

Dat. 3-21-53

As the outside world ponders over the outcome of this case Mrs. McCollum, the mother of four children, one of whom, she claims was fatheree by the man she shot and killed, awaits a death date in a tiny Suwannee County jail cell here in Live Oak.

Her attorneys have until April 17, 80 days from Jan. 17, to file a notice of appeal with the Florida Supreme Court. Should the appeal be denied, the matter of signing her death warrant will come before Gov. Dan C. McCarty, who was inaugurated Jan. 6. It will be his first.

If the chief executive should refuse, again, Judge Adams comes into prominence in the McCollum case, for it will be his duty and responsibility to sign the death warrant.

The warrant will specify the week in which Mrs. McCollum will take the walk to Florida's electric chair.

13c 1953 Florida

Ruby! Good or Bad?

13c Fla-

The case of Mrs. Ruby McCullum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow:

Courier P.2

* * *

Being white and of the human race, I would like to express my unbiased opinion in conjunction with the Ruby McCollum story. Many persons have condemned Ruby for her illicit affairs with a white doctor. She committed a crime against society by doing so, but I can't see where the crime would be any less if the doctor had been colored. During the second world war, thousands of white women in Europe gave birth to offsprings of colored soldiers. Today, in Japan, there are many offsprings of colored and white soldiers. Are the mothers of these children being persecuted like Ruby? The answer is no. Today in our great nation there are thousands of white men having affairs with colored girls and likewise colored men and white women. Are these persons being persecuted like Ruby? Again, the answer is no. I'm not going to condemn the women of the colored race because of Ruby McCollum. She's paying the price for her mistakes and instead of mortals condemning Ruby, leave her fate to God.

Pittsburgh Pa. Sat. 5-23-53

EDWARD BERQUIST

Massillon, Ohio

* * *

I truly feel sorry for Ruby and last week I was glad to see that so many sympathized wtih her. I am from the South and there is not a white man in the South that I would have, but our colored men treat us worse than men of the other races. There are thousands of colored men who walk out and leave us with babies for the state or someone else to care for. I feel that we are all living in sin. There are none without faults and you who are accusing Mrs. McCollum should look around you in your own homes and see if there are any Rubys there and if not you can never tell when there may be. Ruby hasn't hurt anyone but herself.

LORENE CHRISTIAN

Los Angeles, Calif.

* * *

I think that Ruby is human and has a right to the tree of life. If she had been a white woman that killed a Negro man it would have been considered as "one of those things." Why keep a poor woman from her kids that need her so badly? Nobody knows but Ruby and Dr. Adams what caused the whole thing. I do believe that if he could speak today, he would say, "Let her go free."

EDNA TAYLOR

Elmira, N. Y.

* * *

I don't see any evidence of any mercy that Ruby showed toward Sam. It makes me nervous to read the awful things she did. When the devil sinned in heaven he was thrown out, so if God spared not the angel that sinned then how can Ruby or anyone else expect God's judgment. If she is electrocuted, her main trial is to come. I am against her deeds and all her likes. God doesn't back up sin anywhere in the Bible. If she was my mother, I would be against it.

MRS. B. C.

Columbus, Ga.

* * *

I have been thinking about Mrs. Ruby McCollum and her case. I see her as a colored lady that has made a mistake in life as some have done in all nations and among all races. There are two sides to any case and we who are so bitter against her, let us search ourselevs and see whether we would want to die for any mistake we have already made. Unfortunately she was exposed. Let us look on the right side a little more.

MRS. VIRGINIA SELLERS

DeQuincy, La.

* * *

It's a sin for white and Negro mixing and some of you seem to think that it's all right in the North but not in the South. What's the difference? I think that Ruby has suffered enough. Why not write about Mrs. Adams? She doesn't love you any more than she does Mrs. McCollum. In December, 1952, a 28-year-old white man raped a little 8-year-old colored girl in Arkansas. If you people would act more on a case like that we colored people would get somewhere. I think we should be more careful how we write and talk about other folks. A white woman killed her lover and seemingly nothing has been done about that. He's just a dead Negro. But we don't see the white people tearing down and we never will. They never try to scandalize each other. You are too busy condemning one poor soul, no wonder she may be losing her mind.

A READER

Crescent, Ga.

* * *

Since Mrs. McCollum's illicit love affair was with a white man, it would seem more natural for Negro men to be playing the role of condemning her, but instead, they are women. I am sure they are not Christian women, for a Christian could not take such position against anyone who is already condemned to die. For every letter that has been sent to the Courier condemning Ruby McCollum, instead, there ought to have been 1,000 times that number protesting her death sentence, and ought to be done, at least, by Negro women. There have been thousands of crimes committed by women of other races just as grave as that of Ruby's, but have they paid with their lives? As much as I hate love affairs such as Ruby McCollum's and her victim, I am not unmindful of the fact that she did what is common for human beings to do. God still loves Ruby and will save her soul, but there seems to be some, and mostly women, who would damn her even before she dies. You have shown to the world your attitude toward your own race. I would appreciate if all who have written in condemning Ruby would write me a letter stating just what you think Jesus would do or say about Ruby if He were in your place. In the service of mankind Jesus has no hands but ours and no mouth but ours. There isn't hardly a person in America who doubts that if the man had killed Ruby he would not be practicing medicine today any on Negroes. Why not attack his character, because he is dead his character is not. If it were, there would not be so much said about Ruby.

REV. ANDERSON C. TRICE

308 East Sixth Street
Sanford, Fla.

* * *

Ruby McCollum is just one of many. She just got caught because she lost her head. So, folks, mix if you want to, but don't get caught if you live in the South. Be discreet, be nice, be a missionary of goodwill. Like people for what they are.

JASPER SMITH, Washington, D. C.

* * *

God did not say it was a sin for a colored woman to go with a white man or a colored man to go with a white woman. It's up to the individual and that's what Ruby wanted. Who are we to be condemned?

WILLIE GRIFFIN, Sioux City, Iowa.

* * *

Why do you try and make Ruby feel she has committed a great crime? She hasn't. How do you think she got the fine things she had, by the Doctor giving them to her. She isn't the first woman who ever had a child for a white man in the South, and for a price, most colored men will get a woman for a white man. I'm sure Dr. Adams must have cared for her or he wouldn't have given her some of the nice things he did. So don't torment poor Ruby, God will take care of her.

Two White Readers,
MILDRED JOHNSON
BRUCE JOHNSON
St. Petersburg, Fla.

Courier Sat. 5-23-53

* * *

Oh God, I pray in the name of Jesus Christ that they may go in that cell where Ruby McCollum is and comfort her poor heart and soul. Lord, You have heard me pray before and have answered my prayers. Today, I pray deep down in my heart that You will forgive her of her sins and free her from prison. I pray that You will get to the hearts of them that have her in their care and tell them also to have mercy on her. Dear God, I know You are a forgiving God because you forgave me one day, and if such be Thy will, tell them to have mercy on her as I know You will. In the name of Jesus Christ. Amen.

MRS. MARTHA PATTON
Detroit, Mich.

* * *

Let us pray for Ruby's life to be saved so that she can be with her children.

ADDIE YARBOUGHT,
Zebulon, Ga.

* * *

Maybe Ruby has disgraced her race, but she has suffered enough. Instead of criticizing, we should give her our prayers and sympathy. Please do not forget that not only colored women go with white men. Have you not heard of colored men raping white women. Don't be so hard on your own race, that was probably the only way Ruby could stop the doctor. Maybe he wouldn't let good enough do. To Odessa Matthews of Phoenix City, you have said that every Negro should love and respect his race . . . if you loved your race, you would not say the things you have said.

J. BROWN
Ashburn, Ga.

* * *

I am from Atlanta, Ga. I have been here in Connecticut for twenty-eight years. I am of mixed blood and my father is white. There are ten of us, all having the same father. I agree with Mrs. Agnes Yates, one hundred per cent . . . Mrs. McCollum didn't get justice.

MRS. B. GREENE
Stamford, Conn.

* * *

There have been Rubys ever since slavery time, therefore I don't think she should even be punished. Ruby broke God's law, but she has been punished. Let God punish her, stop criticizing.

JERRY L.
Ashburn, Ga.

* * *

About Mrs. Ruby McCollum disgracing her color by killing her white lover. What about the white woman killing her Negro lover? Do the hypocrites try to scandalize the white

woman? No . . . she is right and Ruby is wrong. Yes, Ruby did wrong, but I am praying to God to spare her life.

REV. F. W. SCREEN
An AME Preacher
Otter Creek, Fla.

Ruby! Good or Bad?

The case of Mrs. Ruby McCollum of Live Oak, Fla., sentenced to death for the 1952 slaying of her alleged white lover, Dr. C. LeRoy Adams, has created an explosive controversy among Courier readers. These readers have expressed their opinions of the case in letters to Courier editors. The Courier will continue to print these letters as long as they are sent in. Latest letters to reach the Courier editorial room follow: Courier P. 3

* * *

Let us sympathize with Ruby McCollum. Let's pray for her that she may have eternal life.

JOE YOUNG, Byromville, Ga.

Pittsburgh, Pa

* * *

In speaking about Ruby and the fact that her life should be spared, what about Willie McGee? They sent him to the electric chair for a crime that wasn't murder.

JEAN MITCHELL, Frostproof, Fla.

13C

* * *

It it's true that Ruby is on the verge of insanity, it's because of the sin that she has committed and the haunting fact that her own race is against her. I wonder if Dr. Adams would be haunted by the white race as Ruby is being haunted by the colored race. I wonder if his sentence would be death.

ELLIS PARKER, Holly Springs, Miss.
Freshman, Mississippi Industrial College

* * *

The old gals that condemn Ruby so hard are doing, or will do the same thing if they get a chance. They just haven't been caught yet. If I were Mrs. Adams, I would not want Ruby's money.

MRS. ANNA BIGGS, Chicago, Ill.

Dat-5-30-53

There is no point in talking about what Ruby has done. That won't help her or others who are guilty of one form of her act, which is adultery. That of itself is murder in God's eyesight and ours. What she needs now is prayer for her repentance so that God may save her soul. We must reap what we sow. She is already in trespass and sin.

H. WARD, Cleveland, Ohio

* * *

I think a black woman in Florida should get the sympathy of her race. If we pull her down, what do we expect the other race to do to her.

HENRIETTA ESKRIDGE, Yukon, W. Va.

* * *

I think that the people of our race are carrying on terribly about this Ruby McCollum case. She isn't the first colored woman that ever went with a white man, and she won't be the last.

MRS. B. BERRY, Detroit, Mich.

* * *

What makes me very impatient with people is when a thing like this happens they take the Bible and begin to pass judgment when that same Bible tells us plainly to judge not.

MRS. L. FLORENCE WILLIAMS, Broderick, Calif.

* * *

I think that Mrs. McCollum should be given a medical examination, also granted a new trial. The people of this state should also try to understand this poor woman who might have been your mother or mine.

ROBERT McGRUDER, Miami, Fla.

* * *

About this Mrs. E. Lowery of Chicago, who stated in the first part of her letter to you that all Negroes are ignorant. Well, with me being a Negro, that included me and millions of others. Evidently, this Mrs. Lowery is ignorant herself and I do think that she should be more careful in her future statements.

CORP. M. SMITH, Lake City, Fla.

* * *

Those who have been tainted with "white fever," and those who are holding up the banner of disgrace in one hand and Negro womanhood in the other hand, are going around in a stupor thinking and believing that a white man loves or respects a Negro woman, are mentally ill.

C. CONWAY, Buffalo, N. Y.

* * *

My heart grows sadder and sadder for Mrs. Ruby McCollum because she was so unfortunate in her undertaking. So many would have been in her same shape if they had had the cover pulled off them.

MRS. BESSIE HORNE, Sanford, Fla.

* * *

Why not let justice ring out for this doomed Negro woman, Ruby McCollum? The question that arouses me and many more Negro women is still unanswered. The Negro woman can go with a white man and he breathes not a word, but their women can have our Negro men and we must sit back in the corner and like it. Another question, white women go with colored men and when the trap is set and she falls into the net, the first things she hollers is rape. This case is reversed. Why not let justice reign? Give Ruby the same chance you would have given Dr. Adams.

MRS. J. BUDGETTS, Kansas City, Mo.

* * *

There are many Rubys in the Southland, just like Ruby McCollum, but they have not shot their guns at the white man, yet. There are many white men just like Dr. Adams, but they have not been shot, yet. The state of Florida must try Ruby for the deeds she has committed. That's law. This is the white man's day and we must travel on the road a while longer with him and his mistakes. Let us think right on this case.

B. D. BROOKS, Jacksonville, Fla.
The Spiritual Blue Print Evangelist of Western New York

NAACP Lawyer Testifies At Florida Inquiry

MIAMI — (INS) — A Miami federal grand jury probing crimes of violence and intimidation against Negroes and Jews Wednesday apparently was concentrating on a bomb blast near Mims that killed a leader of the NAACP.

13C

Horace E. Hill, a Daytona Beach attorney whose firm represents the Association, was first to appear before the 23-man panel.

P.1

He presumably was called to discuss the affairs of Harry T. Moore, state coordinator of the NAACP, who was killed in the Mims blast on Christmas night of 1951. Moore's wife was fatally injured by the bomb which rocked their home.

The investigation was conducted behind closed doors. No details of the witnesses' testimony were released.

SOUTH CAROLINA WITNESS

Following Hill into the Jury room were Earnest Morton, William Bogar, Phillip Huggins and George F. Morton, Jr., all of Apopka and Leland F. George of South Carolina.

The jury has been investigating violence and Ku Klux Klan activity in the Florida area. It was impanelled October 6.

INDICTMENTS HINTED

The jury recessed in March, but federal attorneys, directing the investigation, said at that time that the group would reconvene and consider indictments.

5-28-53

The National Association for the Advancement of Colored People has demanded prosecution of persons responsible for the bomb-deaths of the Harry T. Moores. They were killed Christmas night, 1951.

Moore was instantly killed and his wife fatally injured by the blast which "evidently" blew the bed in which they were sleeping against the ceiling and "literally blew the bedroom apart" the jury reported.

Moore was State Coordinator for the National Association for the Advancement of Colored People.

The jury revealed for the first time that two years before the Moore murders a, floor plan of the Moore house, was exhibited at a meeting of a Central Florida Klavern. The report stated, too, that newspaper clippings of Moore's activities were read at a Klavern meeting and that mention of him was made on other occasions and in other places.

The jury said that the Central Florida Klaverns were known "to have evinced a malevolent interest in Moore."

Did Dr. Adams Protect Him?

Was Ruby's Hubby A 'Racket' Figure?

Courier p. 1
Dat. 1-31-53

By TREZZVANT W. ANDERSON

(Second Article in a Series)

LIVE OAK, Fla.—Speculation that racket tie-ins and pay-offs might lie behind the Ruby McCollum story continue to fill the air here in North Florida and with allegations of corruption being tossed at officials in Miami and stories of how North Florida racket figures must also "kick in" to officers, there may be something to it here.

For example, it is no secret at all around here that many suspect the late Dr. C. Leroy Adams of having had some kind of relationship with the late Sam McCollum, husband of the woman who murdered Dr. Adams, a white man. But "dead men tell no tales" and both Dr. Adams and Sam are dead now.

There are rumors that perhaps Dr. Adams had done some sort of political favors for Sam McCollum, which had placed Sam under obligations to the white doctor, later accused by Sam's wife of being the father of her child. There are reports of some happenings which point to some sort of hold over Sam by the doctor.

Around these parts, Sam was known as "Bolita Sam," and although he and Ruby paid $18,000 for a big farm, his real money is believed to have come from the rackets, mainly "Bolita," a numbers game.

Now—as the revelations from Miami last week showed—it is the usual custom here to pay for "protection" if you are going to run a racket. It is being done by everybody, and the "pay-off" goes to somebody. But, it is obvious that here, as anywhere else, no racket could continue to operate if somebody didn't protect it.

* * *

DOWN HERE in Florida it is said that protection comes from either the politicians or the police. This writer listened to an admitted racket figure in Jacksonville last week discussing the advantages held by Negro racket figures who operated "Bolita" or "Cuban" in sections "on the outskirts" of town.

"Out there," this man was saying," they don't have to pay nobody but a deputy or two. Here (in downtown Negro Jacksonville) you got to pay all the cops and everybody. "Naturally, he didn't call the names of any cops, but his manner left little doubt that he, himself, had been—and probably still is—paying policemen for "protection," which simply means the right to operate without being arrested.

What is true in one section can just as easily be just as true in another section, and that's what folks fear was the real story behind the story of the tragic climax of the lives of Ruby and Sam McCollum.

* * *

DR. C. LEROY ADAMS was a powerful man in Live Oak and Suwannee County. He was a member of the Florida State Legislature; he was a popular physician; he had plenty of money, they say, and—above all—he had influence.

That was why P. Guy Crews, first lawyer for Ruby McCollum, sought to get a change of venue for his client prior to his suspension: he knew that Ruby's goose was cooked if the trial took place in Suwannee County, and especially (as it did) right across the street from the office of the murdered man And that's just what happened.

Of course, Dr. Adams is dead now, and so is Sam McCollum; so, neither man can answer any questions. Questions, for example, like:

Had Dr. Adams seen to it that Sam got "protection" for his alleged "Bolita" operations? Had Sam been making "pay-offs" to Dr. Adams in return for possible "protection"? Were the seventeen $100 bills (now missing and unaccounted for) in Ruby's hand-bag "pay-off money"?

If so, then it is quite obvious that Dr. Adams had Sam's future right in the palm of his hand. He had such a powerful grip on Sam, that the Negro was in no position to squawk about anything Dr. Adams did . . . no matter what it was, including being intimate with Mrs. McCollum.

* * *

PROTECTION for the rackets is said to be a big business down here in Florida, for the rackets are a pretty big business, too. "Cuban" and "Bolita" pulled in over $5 million last year in Miami, reports say.

While it is not proved that Sam McCollum was operating, there is a Negro in Jacksonville who privately told of having come over to Live Oak "to run Sam's numbers" while McCollum was "cooling off" once. This Negro told friends that Sam came home earlier than expected one day while he was there, and found Dr. Adams in bed in the house.

Mrs. McCollum, this Negro said explained to Sam that Dr. Adams had been on a professional visit and had been tired and weary and asked to rest a while. This incident was not mentioned during the trial. But, mention of it helped fan the flames of speculation that Dr. Adams had gotten some sort of hold over Sam and could treat accordingly.

It could have been that, perhaps, which allowed the doctor to become so intimate with a Negro's wife without trepidation, even to such an extent that he—according to Ruby—acted as if he owned her.

It must have undoubtedly been a hell of a trial for a Negro woman to go through, having the knowledge which she did have. There was much more to it, though, than that. Perhaps, after all, Ruby was a jealous woman. Jealous of whom?

'He Was Not My Enemy'

By TREZZ W. ANDERSON

(Courier Staff Correspondent)

Courier

LIVE OAK, Fla. — "He wasn't my enemy . . . I loved him!" . . . Those seven words, more than anything else, may be the key to the real reason why Ruby McCollum shot and killed her white "lover," Dr. C. Leroy Adams, last Aug. 3.

For slaying that white doctor, the State of Florida has decreed that Ruby McCollum must die in the electric chair. Right now she is in a cell waiting for Governor Dan McCarty to set the date upon which she must keep her tryst with death.

Dat. 1-31-53

BUT THOSE seven words, spoken by Ruby, hold a world full of meaning and significance in this, one of the most complex and entangled cases of romance, guns, love, hate, jealousy, rackets and money likely to be found in a long, long time.

This is truly one muddled-up situation and the answer to it may probably never be known. Two of the principals, Sam McCollum and Dr. Adams, are dead and cannot talk. As Ruby stood before Suwannee Circuit Judge Hal P. Adams on Jan. 17 and heard him sentence her to die, the only words she spoke were:

"I don't know whether I'm right or wrong."

There were only two persons in that courtroom who heard those words and understood what Ruby—mother of four children—meant when she said them. The minds of those two persons immediately flashed back to those seven words:

"He wasn't my enemy . . . I loved him!"

She was speaking about Dr. C. Leroy Adams, the man she had slain. To study those seven words and try to get at their real meaning is just as easy as snapping your finger . . . they tell their own story. Ruby loved Dr. Adams. It's as simple as that.

IT WAS OBVIOUS then, that as Judge Adams asked her if she had anything to say before he sentenced her to die, her befuddled mind must have swiftly recalled all the stirring events of her past which led her to fire four bullets into Dr. Adams and sent her on her way to the electric chair.

Courier
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What Mrs. Ruby McCollum said to the judge was ever so true: she really didn't know if she were "right or wrong." Was it wrong to have been in love with the wealthy, prominent and powerful white doctor? Was it wrong to have treated her own wedding vows with Sam McCollum so lightly? Would it have been better to let someone else fill her place in Dr. Adams' arms?

Ruby McCollum was certainly the principal actor in a play far more starkly dramatic than anything ever to hit Broadway. But, whether she was "right or wrong" doesn't matter now. She has been sentenced to die. She knows why and she knows why she did what she did. Maybe some day she'll tell her real story, then the whole world will know. But, there's more to it than meets the eye.

At press time Governor McCarty had not set the date for Ruby's execution.

Ruby Needs Aid, Her Lawyer Says

~~Afro-American~~ p. 3

JACKSONVILLE, Fla.—Another dramatic chapter was added Friday to the Ruby McCollum case when it was learned through her defense attorney, Frank T. Cannon of Jacksonville, that Ruby needs assistance to continue the fight to help save her from the electric chair.

Pittsburgh

Mrs. McCollum is awaiting execution for the slaying of a white Live Oak doctor and politician, Dr. Leroy Adams.

Cannon stated that he "would be glad" to have aid. The fact that Ruby is bankrupt following a damage suit of $85,000 and all the children are minors, leaves the 37 year old widow practically broke.

5-2-53

At the time of the murder of Dr. Adams, Mrs. McCollum had enough funds to carry on her own fight but the $85,000 suit that was won by Mrs. Florrie Adams, widow of the doctor left Ruby without enough funds to continue the battle that may save her life.

13c 195

The Price Of Folly

IT IS A TRADITION of the South that when a member of a minority group becomes involved in civil or criminal court proceedings with a person or persons other than one of like racial and economic status, the minority complainant or defendant, as the case may be, is always at a disadvantage and is liable to come out of the episode stripped of liberty, deprived of life and minus all material possessions, if there were any at the outset.

13 = Fla

The case of Mrs. RUBY MCCOLLUM, of Live Oak (Fla.), is one in point. Convicted of shooting to death Dr. LEROY ADAMS, white, Mrs. MCCOLLUM has been given the death sentence. Her chances of getting a new trial, a lighter sentence, or commutation of sentence are slim. She was represented at her trial by competent white counsel.

Journal and Guide

Her story was that there had existed a love affair between her and the physician for some time, and that he was the father of her last child. There was a misunderstanding, a bitter quarrel and the shooting, which resulted in the doctor's death.

P. 14

Norfolk Va.

A side tragedy to the main one in this unfortunate case, was that on the day Mrs. MCCOLLUM shot the man she testified was her lover, her husband, who was a man of substantial means, had to take the children in the family car and flee for his life, because of imminent mob violence which would have taken his life, although he was an innocent victim of his wife's infidelity and of her illicit interracial love affair. When less than a hundred miles from his home he was seized by a heart attack and died. The shock was too much for a man with an impaired heart.

Dat. 1-31-53

The latest development in this case brings out the point in the opening paragraph of this editorial. The widow of the slain physician has filed suit for $100,000 against Mrs. MCCOLLUM, who awaits the execution of the death sentence, and against the late Mr. MCCOLLUM's estate.

It also develops that the prosecuting attorney in the case has resigned, and will represent Mrs. ADAMS in her claim for $100,000 damages.

There is little doubt that a Florida white jury will award the complainant a judgment for the damages asked. But we hope that in considering the evidence in the case—if any is presented to substantiate Mrs. MCCOLLUM's story — the jury will also consider the damage done Mr. MCCOLLUM, and *his children*, by Dr. ADAMS.

If there is any truth in Mrs. MCCOLLUM's story, it should be remembered that it takes two people to bring to life a romance. The Negro woman could not have seduced the white man. There was collusion, collaboration and mutual consent, if we are to recognize average human behavior.

In this case we cannot feel much sympathy for Mrs. MCCOLLUM. She was lawfully married to a man who was thrifty, prosperous and outstanding. What she did was to betray him and his children. To satisfy her pleasure she deprived herself of a good husband, deprived her children of their father and, quite likely, of their shares in what he had accumulated for their benefit, while she sits within the shadow of the electric chair. It is a high price to pay for a "good time".

For Ruby's Children

Lawyers Fighting To Save Estate

13 = Fla

By TREZZVANT W. ANDERSON

LIVE OAK, Fla.—Counsel for Ruby McCollum moved swiftly last week to head off any possibility that the brand of "justice" meted out here might result in the wiping out of the McCollum estate in the $100,000 suit filed against Ruby and the estate by the widow of Dr. C. Leroy Adams.

Acting under provisions of Florida statutes which say that a husband is not liable for a wife's torts, Mrs. McCollum's lawyers established that Mrs. McCollum's four children were entitled to share equally in the estate with her, and that therefore only one-fifth of the entire McCollum estate is liable for judgment in the civil suit.

Courier P. 1

Estimated total worth of the McCollum holdings is placed at nearly a quarter of a million dollars. Therefore, Mrs. C. Leroy Adams, widow of the man Ruby shot to death, can only win a maximum of $50,000—Ruby's share—if Flordia "justice"—Lives Oak style—says she is entitled even to the judgment.

Pittsburgh

Negroes in Florida are saying openly that the chief purpose of the whites here is to get their hands on and take everything the McCollums have. But at least the part which belongs to the four children now appears to be safe. McCollum counsel will fight the suit to the last ditch, the Courier was told this week.

Dat. 2-7-53

New Twist In McCollum Case Arises

Afro American

p. 1

Daytona Beach Man Asks Heir's Share In Estate

Baltimore Md.

Dat. 2-21-53

LIVE OAK, Fla. — Another twist has arisen in the world-famed McCollum case, with the filing of a suit against the $135,397 McCollum estate by Kennety McCollum of Daytona Beach, Fla., who asserts that the late Sam McCollum was his father.

Dat. 2-21-53

Sam McCollum died of a heart attack Sunday, Aug. 4, the day following the pistol - killing by his wife, Mrs. Ruby McCollum of Dr. C. Leroy Adams, local white physician, in his office here.

13 = Fla

The petition, filed by H. E. Hill, attorney of Daytona Beach, before Suwanne Judge J. M. Hearn, sets forth:

"Comes now Kenneth McCollum by his undersigned attorney and represents unto this honorable court the following acts to-wit:

Afro American

"That the deceased Samuel McCollum died on or about the 31st day of August, 1952, that subsequent to the death of said descendent, an administrator of his estate was appointed;

Dat 2-21-53

"That the petitioner, Kenneth McCollum, is the illegitimate son of Samuel McCollum deceased, that said petitioner was born Aug. 19, 1927, at Eustis, Fla., and that Bertha R. Lightsay is his mother;

Paternity Avowed To

"That during the lifetime of Samuel McCollum, the said Samuel McCollum acknowledged in writing, in the presence of a competent witness, that he was the father of said petitioner;

"That under the statutes of the State of Florida, petitioner is entitled to preference of appointment as administrator of this said estate and that said petitioner has not been served with citation or otherwise waived his preference of appointment.

"Wherefore, Petitioner prays as follows:

13 = Fla

"That he be adjudicated to be the illegitimate son of Samuel McCollum and entitled to share and participate in the property both real, personal and mixed of the decedent in the same manner as if he had been born in lawful wedlock.

Asks Order Vacated

"That this court set aside and vacate the order appointing administrator and revoke letters of administration issued thereon;

"That the administrator heretofore appointed render an accounting of his acts and doings; and further that petitioner Kenneth McCollum be adjudged entitled to preference of appointment as administrator."

Arrest Police Officer In Civil Rights Killing

13 = Fla

Special to Journal and Guide

HOMESTEAD, Fla. — The federal government took Vernon Minnick, policeman, into custody here for the Christmas Day, 1952, killing of a homestead young man as his aged father looked on and pleaded with the officer, "please don't kill my son."

Journal and Guide

The Justice Department announced Wednesday that the slaying was in violation of the Federal Civil Rights statute. FBI Director J. Edgar Hoover said that a federal complaint was filed at Miami, charging Minnick with civil rights violation in the fatal shooting of Emmitt Jefferson, 31-year-old handyman, allegedly while the latter was resisting arrest.

Dat. 2-21-53

Norfolk Va.

13c 1953

FLORIDA

The Life Story of

Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

(Editor's note: Preceding installments have told of the childhood of Ruby Jackson McCollum in Martin, Fla., the stern religious parents who raised her and her meeting and marriage to Sam McCollum. Her early life showed the development of traits which found her with a strong influence over men and an intense inner fire in herself, even after the birth of her first child, Sam Jr. (The fifth installment follows):

13 c Fla

* * *

The terrible years of World War II were about to burst upon the world when Sam and Ruby McCollum settled down in Live Oak, Fla. The coming of the McCollums was so quiet and inconspicuous that even Negro Live Oak was scarcely conscious that they were there. Privately, Ruby and Sam felt they were now ready for bigger things.

Looking over their new town one day, Ruby suddenly pointed and then said to her husband: "Look, Sam! There is my house!"

Courier

Sam McCollum could neither understand her claim nor her excitement until she explained about the dream she had long years ago.

"Know whose house that is?" Sam asked. "A fellow named Hopps built it and lives in it. A bolita banker and the biggest colored man in town, I hear."

"But it is mine," Ruby told him with conviction. "I am going to live in that house."

Sam studied the large nine-room house on Ninth Street and chuckled.

"Pretty high kick for a low cow, Ruby. That calls for a lot more cash money than we got. But, then maybe it's a sign that I'm going to beat Hopps out at his own game. I've been looking around and listening a lot. Looks like Hopps has just been lucky and had nothing to buck but dumb guys. Maybe . . ."

Sat. 3-28-53

"Oh, you can take him, Sam. I've noticed in many ways how smart you are. Go ahead and put him out of our house."

* * *

AND THE time came around . . . not so long after . . . when it was so. Sam McCollum went about things in a different way. He hung about places where he could learn things about Hoops' methods of operation. He made connections among the Suwannee County authorities. He sat up nights and mapped out plans.

The boastful, flashy bolita king, Hopps, had no fear of the quiet, inconspicuous Sam McCollum. He looked upon him as a country tin-horn and scorned him.

Nevertheless, the time came shortly when Sam McCollum took over Hopps' bolita empire, and in later years expanded it to dimensions which Hopps had never dreamed of.

* * *

PEOPLE IN Live Oak still tell of that night when Sam and Hopps sat down at a gambling table and fought with their skills for what was left. When the air cleared, Sam was master of the big house on Ninth Street, and Hopps—clean as a fish—walked out of town with his coat over his arm.

Ruby McCollum, reared in the little four-room house at rural Martin, eight miles outside of Ocala, walked into the big house that a gambler had built, and which a gambler was again to own and occupy . . . and Ruby found the end to her dream!

It is obvious that long years of "protection" had blinded Ruby McCollum to the gravity of her situation on the morning of Aug. 3, 1952, when she shot Dr. C. LeRoy Adams, prominent white doctor, to death.

This conclusion is further verified when the sheriff, his deputy and a state highway patrolman arrived at her home to make the arrest.

"But I can't go now," Ruby told them, "there is nobody here to look after the children."

* * *

SAM AND RUBY prospered. The weekly "take" grew to enormous proportions for a couple who had had so little cash in their early years. Ruby spent thousands in refurnishing and renovating the big house as time went on. However, they made no great splash in the manner done by most people who gain money in such a fashion.

They were well dressed for Live Oak, but there was no flash and no glitter of diamonds, no multiplicity of showy cars, no drinking and loud social affairs.

But some changes had been made, nevertheless. The weekly "take" from bolita was always carried directly to the McCollums' home by an employe of Sam's and turned over to Ruby. She took care of all the tabulations and the tickets. It was she who wrote "give" on the tickets to be paid off, and "get" on the tickets still to be paid for on a play. She had charge of large amounts of cash.

* * *

THE McCOLLUMS bought some real estate, bought stock in the Central Life Insurance Company and made other investments, but Ruby held tightly on to the cash. This habit of hers led to some of the hatred shown her by some townspeople.

"She was just too stingy for words. Close-fisted and stingy as all get-out. Wouldn't even give God an honest prayer without snatching back amen," some people said of her.

For his high school education, Sam Jr. was sent to Fessenden where Ruby herself had gone, but otherwise no great outlay was made upon the boy. Ruby was laying it away to benefit her children in later years, when they would need it more.

* * *

BUT THINGS in the home were changing. Ruby was to find out that her husband was having brief—but numerous—outside affairs. She was not the kind to make any visible display to the world, but she was deeply hurt.

Ruby accused Sam and warned him that money and power were going to his head. Sam's retort was that she had the big house and had charge of all his money; she had servants and anything she wanted, so why should she care?

But, though she never discussed it nor admitted it to her relatives or closest friends, Ruby was hurt. She knew that people in Live Oak noticed that never were she and Sam seen together. They even belonged to different churches; she was a Methodist and he a Baptist, though he seldom went to church. Ruby was ever at home, a tireless wife and mother, while Sam was around town night and day.

* * *

SAM WAS either blind to character traits and natural reactions, or he just didn't care any longer how Ruby felt. From their past life, he could easily have been too sure of her. It is easily possible that he had analyzed her as caring more for material things than for him as a man.

All right, she had the money packed away secretly in the house and allowed him little for spending money. She had what she craved, so he would go out and do as he pleased. Then they both would be satisfied—or, so it would seem.

Live Oak says as a matter, of course, that Sam McCollum had "gangs of women," though he put very little on them. That was because Ruby had a tight grip on the purse-strings. Almost without exception, Sam's temporary "lights-of-love" were very young girls.

* * *

HE TOOK the pick of the new crop of young "friers" every year as they emerged and dropped them when the next crop of adolescents arrived. But not one of the number ever had anything to brag about after falling under the spell of McCollum's great wealth, nothing, that is, but hope.

And, women were offended at Sam McCollum for another reason: he was always bragging about the upright character of his wife. He gloated over other men:

"I wouldn't even put up with the kind of wife you got. My wife is always at home no matter when I get there. She's home and acting like a wife ought to act. Clean in her living and looking after her husband and children. The kind of woman you got ———"

* * *

"MRS. McCOLLUM must have something on Sam," some women gritted their teeth in envy and malice, "the way he acts scared of her and lets her hold on to all that money and allowance him out what she wants him to have, which sure ain't much, God knows."

So life went on with the McCollums fourteen years after they had married and through the birth of their third child and second daughter. They showed a solid front to the outside world. Neither of them would break the circle of loyalty, that is, by slighting remarks about each other. Both of them had their pride.

The Life Story of
Mrs. Ruby J. McCollum!

By ZORA NEALE HURSTON, Author, Lecturer, Writer and Novelist

(Editor's note—Previous installments have dealt with the childhood and early married life of Mrs. Ruby Jackson-McCollum who has been sentenced to death for the slaying of her alleged white lover, Dr. C. LeRoy Adams, in Live Oak, Fla. The sixth installment follows:)

* * *

YEARS before the birth of Sonya, the second daughter of Ruby and Sam McCollum, something had happened which destroyed the very texture of their union, though Sam, perhaps, never realized how serious it was.

1 3 C

Naturally, Sam now had many connections and even friends among people who were connected with gambling in one way or another among both races. Sam decided to entertain a group of them in his home. His wife, Ruby, was then five months in pregnancy with their second child who was their first daughter. Young Sam Junior was then seven years old.

Courier

The noisy group gathered in the McCollum home which Ruby had recently refurnished. This was the acid test! And in it both Sam and Ruby failed each other!

p. 3

The quiet, reserved Ruby did not care for these people. She did not even want them in her home to begin with. Sam, more self-confident than formerly, and possibly flushed with his new importance, forced his will upon his wife, knowing that it would not please her, but feeling that as a very capable bread-winner and master of his home, she should place his success before her feelings.

Ruby said that in the course of the riotous evening too many of the guests drank too much liquor—incidentally, she never touched a drop in her life—and two or three of the overloaded guests callously vomited over her floor and furnishings.

* * *

SHE TOOK Sam aside and protested, demanding that he get that bunch out of the house. Sam did no such thing. Behind the closed door of their bedroom, Sam is said to have whipped her soundly and forced her to clean up the mess the guests had made.

Ruby Meets Dr. Adams

"For that I never forgave Sam McCollum," Ruby once said. "Though his hard blows hurt me outwardly, luckily I was not injured internally and I had no miscarriage. He might have injured me and my unborn child, but for the time he seemed not to care."

"Spiritually," she continued, "the incident gave me a terrible fright. Always after that I felt insecure with Sam. I no longer felt myself to be the woman of his heart. A useful tool as a wife and mother, but no longer the mistress of his inner heart. It was a terrible shock."

An image—something sacred and precious—had fallen off the shelf in Ruby's heart. After a few days they carried on as usual, but now they were different in Ruby's concept.

Pittsburgh

* * *

SAM WAS a good provider and Ruby was a good wife and mother and that is just the way things rested for six years.

Pa

Then Ruby found she was pregnant for the third time and she did not know whether she was glad or sorry. She loved children and motherhood. It was five years since she had had an infant to demand what she loved to give in that way, but try as she would, she could not recapture the old feeling of intimacy towards Sam.

Sat

4-4-53

She was distressed that this was so. Her hope was that the birth of the child would bring it all back again. So, she looked forward to the birth of Sonya, her second daughter and third child.

Sam was very pleased about the prospect of another child now. Perhaps he felt the slackening off of the old ties and hoped the same thing that Ruby did. However, he stayed away from home just as much as ever, which was no help at all.

* * *

WHEN HE did come home he talked about a new white friend he had just made. Dr. C. LeRoy Adams was Sam's new white friend. Dr. Adams had moved to Live Oak in recent months and set up his practice of medicine.

Oh—from all he could learn from both white and colored he was a wonderful doctor, and Sam knew for himself that Dr. Adams was a fine friend to have. That is one of the anomalies of the Southland, this friendship which exists between individual whites and individual Negroes.

And, besides, this Dr. Adams was accepting Negro patients, something Live Oak's two other white doctors did not do. This Adams was very nice and friendly to Negroes. Sam made up his mind that he was not only going to bring Dr. Adams out to the house to meet Ruby, he was going to place her under his care during the birth of their child.

The hand of Fate had come into their lives.

* * *

SOMETHING electric passed between Ruby McCollum and Dr. Adams the very first time they met! A few minutes after the introduction in her living-room, Ruby happened to lift her eyes to find the big, handsome white man studying her with a look that she knew only too well. It was so intense it flustered her.

Warm inside to such an extent that her whole body seemed to be on fire, she excused herself with the excuse that she did not feel too well and went upstairs, leaving her husband and Dr. Adams laughing and talking below.

Perhaps a quarter of an hour later, she heard them go outside to the driveway. She peeped out from behind the drapes and saw Dr. Adams stealing glances up at the second floor while he complimented Sam on his home and its surroundings.

* * *

THE BABY was delivered and did well, but, somehow, Ruby found her own recovery slow and fitful. One day she felt fine, then suddenly she felt as if she were about to die. She could not understand it. She had had little trouble after her first two babies. It was hard to understnad, this new condition.

She took the medicine faithfully that Dr. Adams prescribed, but, strangely, sometimes immediately afterwards she had that desperately sick, sinking feeling.

Months went by this way, and Ruby began to feel very worried. Suppose she never got well and left her three children motherless? It was a terribly thought. She just must get well for their sake! And in her anxiety she had a revelation.

* * *

SOMETHING WAS laid bare that she had been hiding from herself for years. Her solicitations were for her children—not for her husband. She was not in love with Sam McCollum any longer!

condition, Ruby summoned Dr. Adams to her home and told him of her peculiar sensations and her worry about her health.

He sat opposite her and took a long time to answer.

With his big hands clasped and his elbows resting on his knees, Dr. Adams looked down at the floor for a while, then looked her squarely in the face and told her:

"I can get you well if you will do as I tell you."

* * *

SAM McCOLLUM'S neglect of her for the past few years had caused her to lose confidence in her power to sway men. She had come to feel that she no longer mattered to anybody that way.

And now, this big, handsome, aggressive man restoring it to her again. She did not consider whether she wanted Dr. Adams or not. He was handing back to her a precious treasure that she had considered lost forever.

She felt warm and grateful toward him. And this man was no trash out of the streets of Live Oak. This was an important, outstanding man, and—in addition — physically equipped to be desirable to many women.

13c 1953 Florida

58 Reasons Why RubyShould Not Die

Start All-Out Fight To Win New Trial For 'Love Slayer'

By JOHN DIAZ and T. W. ANDERSON

LIVE OAK, Fla.—In the recent appeal for Mrs. Ruby McCollum, the interracial legal team, Frank T. Cannon and Releford McGriff, pointed out to the court fifty-eight reasons why she should be granted a new trial.

The motion for new trial was denied, however, and Mrs. McCollum sentenced to death. Defense attorneys have promised to carry the case to the U. S. Supreme Court, if necessary.

The very first four reasons cited by the defense counsel clearly showed that Mrs. Ruby McCollum will not die—at least, not soon — for firing the four shots last Aug. 3 that took the life of her alleged white paramour, Dr. C. Leroy Adams of this city.

Courier

Those first four reasons indicate that the fate of Ruby McCollum will eventually reach the United States Supreme Court.

P. 3

NUMBER ONE declared that Mrs. McCollum "is being deprived of her life and liberty without due process of law, as required by (Amendment) Article V of the Constitution of the United States.

NUMBER TWO declared that Mrs. McCollum "has been deprived of the right of a speedy and public trial by an impartial jury as required by (Amendment) Article VI of the Constitution of the United States.

NUMBER THREE declared that "Ruby McCollum has been denied the right to be confronted with the witnesses against her, in violation of (Amendment) Article VI of the Constitution of the United States, in that the jury in this case was required and permitted by the trial judge, during the progress of the trial of this cause, to visit the scene of the alleged homicide in the absence of the defendant, Ruby McCollum, her attorneys, and in the absence of the presence of the trial judge, Honorable Hal Adams."

1 Col

Pittsburgh, pa.

NUMBER FOUR—and it is a key citation—insists that Mrs. McCollum "has been deprived of the right of a speedy and public trial by an impartial jury of the state district wherein the crime was committed, in that the defendant, Ruby McCollum, was forced, compelled and required to accept on the jury in this cause, six jurors who had been patients of the decedent, Dr. C. Leroy Adams, or whose wife and family had been patients of the alleged decedent, Dr. C. Leroy Adams, and therefore, deprived of the right of a trial by a fair and impartial jury in violation of (Amendment) Article VI of the Constitution of the United States."

Sat. 2-14-53

THERE ARE fifty-four other reasons cited as "errors" on the part of the court here in the previous trials; some of these, however, are modifications of others already cited, while some develop the preceding reason more fully.

Throughout the thirty-three page brief filed by the defense were found time and again citations which showed complete refusal on the part of the court to admit testimony which might have shown Mrs. McCollum's "intentions" when she left home on that fatal day, and testimony to spotlight clearly the intimate relations between her and Dr. Adams.

Mrs. Ruby McCollum as she was led from jail to courthouse for first hearing in Live Oak, Fla., following slaying of white Dr. C. LeRoy Adams.

In almost every instance, the defense contended that this kind of testimony was refused admission by the court, which sustained the state's objections that it was "irrelevant and immaterial to the present issue." This in spite of the fact that first degree murder is based on premeditation.

"Errors" Five and Six were entered on the basis of the refusal of the court to grant a change of venue, with Number Six citing the fact that the defense sought this venue change also because of the six jurors who had directly or indirectly had associations with Dr. Adams.

This is the McCollum home in Live Oak, Fla, over which Mrs. Ruby McCollum ruled before she was jailed and sentenced to die for the slaying of her "lover," white Dr. C. LeRoy Adams.

THE DEFENSE reminded the that the jury had been polled, man by man, to ascertain who of them had been patients of Dr. Adams or had had members of their families to be patients of the slain physician. The court, in rejecting the defense motion that such jurors were incapable of a fair and impartial trial called these associations with Dr. Adams "almost casual . . . and of no serious moment."

"Errors" Nine and Ten had to do with the visit of the jury to the rooms in which the crime occurred. The defense took exception to the absence of the trial judge on these visits, as well as the absence of the defense attorneys, and also objected to a second visit to the death scene by the jury, as the Eleventh "error."

Number Twelve charged the court with erring in failing to direct a verdict of second degree murder as motioned by the defense, when the defense claimed at the end of the case that the jury could not consider a verdict above murder in the second degree. This was based upon the claim enumerated in the Thirteenth "error."

IN NUMBER THIRTEEN the defense contended vigorously "that the state has not proved, to the exclusion of and beyond a reasonable doubt, premeditation, as required by law, in this cause. That it affirmatively appears from the evidence in this cause that this was a killing upon sudden provocation, in heat of passion and hot blood, and there is no sufficient proof of a premeditated design to effect the death of the decedent, Dr. C. Leroy Adams, as required by law."

Number Fourteen dealt with the man-by-man polling of the jury by Attorney Cannon in developing that six of them had either been patients of Dr. Adams, or some member of their family had been treated by the dead man. Number Fifteen dealt with the refusal to allow the defense contention that these associations disqualified the six jurors involved.

Number Sixteen charged the court with erring in failing to grant the motion for a directed verdict of second degree murder made by the defense. In making

The home of Dr. C. L. Adams, who was slain in his Live Oak (Fla.) office, Aug. 3, by Mrs. Ruby McCollum.

that motion, Attorney Cannon told the court:

"The defendant, if the court please, at this time moves the court for an instructed verdict of not guilty as to the charge of murder in the first degree as alleged in the indictment, in that the evidence is not sufficient to go to the jury on the matter of premeditation; that there is no testimony showing any degree of homicide that could be sustained under the evidence as it now stands above that of murder in the second degree.

"Therefore, the defendant respectfully moves the court at this time for an instruction to the jury that they are not to consider any degree of homicide above that of murder in the second degree. Particularly in that the last witness who just testified, and the state is bound by that testimony that the defendant said: 'I don't know why I shot him.' I think that would fail to come up to the law and nothing above second degree murder could be submitted to the jury."

Following the argument on that point, the court rejected the motion, saying:

"Under the evidence as it has come from the witness stand the court does not consider that it should be taken from the jury as to what or all degrees contained within the indictment.

"Now, so far as the evidence shows, the defendant went to the doctor's office armed with a pistol, and apparently from the testimony they had some argument and controversy about the bill for professional services, and that as a result of that the defendant shot and killed the doctor, or that is the way it happened so far from the testimony.

"The evidence also shows so far, the physical facts and the evidence, that the doctor was shot in the back and that one of the bullets went entirely through his body and stuck in the floor immediately under his body, which is a strong indication that he was shot at that time while he was prone upon the floor.

"All these things I think should go to the jury for their consideration and decision as to the guilt or innocence of the defendant of any or of all degrees contained within the indictment in this case."

The motion for a second degree verdict was then overruled.

NUMBERS 17, 18 and 19 dealt with the jury's visit to the death scene, while Number 20 dealt with the jury's second visit to the scene. Then came the defense citations involving the highly sensational sexual relationships between Mrs. McCollum and Dr. Adams.

Judge Adams granted the state's objections that her associations of the past six years with Dr. Adams were "irrelevant and immaterial to the present issue."

The judge also ruled out testimony regarding Dr. Adams' associations with Mrs. McCullom "other than as a private physician and doctor" upon the state's objection to that line of questioning. This, the defense contended, was also an error.

The defense also charged the court with error in sustaining an objection made by the state against Mrs. McCollum's telling how her sexual relations with Dr. Adams came about and the conditions under which it came about, after she had been allowed to answer a question as to the beginning of her sexual relationships with Dr. Adams. Her answer to that had been:

"It was in my home in 1948, the first time I had ever had any sexual relations with Dr. Adams."

All questions pertaining to her sexual relations with the slain doctor were objected to by the state and the objections were sustained in subsequent questioning. This, the defense said, was also in error on the part of the court in two other citations.

THE QUESTIONING about Mrs. McCollum's pregnancy fell into the same category with the court and the defense entered these as errors. Likewise, the court had refused to admit testimony concerning the birth certificate for the fifteen-month-old baby of Mrs. McCollum, which she had said was fathered by the white doctor.

She had claimed that Dr. Adams had entered himself on the birth certificate as the father of the baby. The certificate was not produced by either side, nor would the court allow the baby—then present in the courtroom—to be viewed by the jury, nor would he permit any description of the child. This, too, was cited in the "errors" charged by the defense . . . in seven specific citations.

Reported suggestions by Dr. Adams that Mrs. McCollum leave her late husband and move to Dr. Adams' farm, were also ruled out by the court as admissible testimony, and here, again, the defense said the court had erred.

SEVEN subsequent "errors" were charged in that the court refused to admit into testimony any answers by Mrs. McCollum dealing with altercations between herself and Dr. Adams, or his "hitting, slapping or shaking" her at various times in 1952.

Six additional "errors" were charged by the defense in connection with sexual relations between Mrs. McCollum and Dr. Adams in his office "across the street from the Suwannee County Courthouse," along with her reported pregnancy and a rumored miscarriage. Then came another effort to secure a directed second degree murder verdict, all of which met with overruling by the court.

The final five citations were based on the removal from the case of the original defense attorney, Guy Crews, and requests for continuances of the trial until Mr. Crews was again eligible to re-enter the case—on Jan. 16, 1953, all of which had been refused by the court.

These acts, the defense claimed, prevented the defendant from securing a fair trial in that the new counsel had not had sufficient time to prepare a proper case, and could not do justice to Mrs. McCollum's defense.

Ruby's Money Reported Safe in Bank

By T. W. ANDERSON

Courier

p. 1

LIVE OAK, Fla.—Mystery has at last vanished from around at least a part of the late Sam McCollum's fortune—$47,186.56 to be exact—and it has been disclosed that young Sam McCollum Jr. had nothing to do with either the handling of the money or its transfer as was once rumored.

Last week in Tampa, Fla., a cancelled check for the sum of $47,186.56 was shown to the Courier by Ronald J. Yates, one of the administrators of the estate.

It showed that the money in question had been transferred by check from the Exchange National Bank of Tampa to the First National Bank of Live Oak, Fla. on Dec. 1, 1952, and "by authorization of Matthew L. Jackson and Roland J. Yates, administrator of the Sam McCollum estate."

The money in question had been found in the Tampa bank in a safe deposit box by special investigators sent out by former Gov. Fuller Warren. The box was in Sam McCollum's name.

Widow Awarded $85,000 From McCollum Estate

World

LIVE OAK, Fla. — Mrs. Ruby McCollum, condemned to die in the electric chair for the slaying of Dr C .LeRoy Adams, has been technically stripped of her last cent by her victim's widow.

Mrs. Adams, who had charged that Mrs. McCollum had taken away her only means of support when the doctor was killed, was awarded a judgement of $85,000 last Wednesday by Circuit Judge R. H. Roe.

Tues.

The defendant did not contest the award, but there was speculation whether the widow would actually receive more than about $10,000. The estate has been valued at $135,000, and the courts have declared Mrs. McCollum entitled to only one fifth. Several children are to share the remainder.

3-31-53

.Since Mrs. McCollum conviction, an admitted illegitimate son of Sam McCollum, has filed papers in court asking for a child's share of the estate.

Atlanta, Ga.

p. 1

Meanwhile, the murder case has gone to the state supreme court for an appeal.

Though Judge Roe's document calls for $85,000 the plaintiff, Mrs. Adams, who sued for $100,000 on the grounds that due to the death of her husband, all her visable means of support had been taken from her, can hardly hope to recover any more than $25,000 inasmuch as the courts have declared that Mrs. McCollum is entitled to only one fifth of the McCollum estate which had been set up as $135,000. There are several children who shared the remainder.

There had been assaignments made against Mrs. McCollum's share in the estate supposedly in the neighborhood of $25,000. Of that amount a reported $10,000 has been alloted to Counsel Cannon and another $8,000 to Lawyer McGriff for legal fees, which means that if she should be sustained the doctor's widow will receive less than $10,000 in the situation.

A. K. Black, state attorney at the time of the slaying, who resigned his post and later brought the damage suit for Mrs. Adams following his successful prosecution of the murder case, first filed the suit in behalf of Mrs. Adams for $100,000 againt the entire McCollum estate.

At the present time the finances of Mrs. McCollum are being held "In Custodia Legis" (in legal custody) and her administrators William Jackson, her brother of Ocala, and Roland J. Yates, insurance executive of Tampa, are subject to liquidation of the estate, and the settlement of pending claims.

Ruby McCollum Case Postponed Indefinitely

Afro American

p. 2

LIVE OAK, Fla. — A hearing in the Ruby McCollum case, scheduled for Saturday, May 2, was postponed because of illness of the judge.

Mrs. McCollum, convicted in the fatal shooting of Dr. C. Leroy Adams, who she charged was the father of her 15-month-old baby girl is seeking a new trial. No definite date has been set for another hearing.

5-9-53

13c 1953

Florida

RUBY BARES HER LOVE LIFE

By ZORA NEALE HURSTON
(Noted Novelist, Lecturer and Newspaperwoman)

(First of Two Installments)

Courier

K, Fla.—Before a courtroom, packed with
LIVE O[illegible]tors, Mrs. Ruby McCollum told of her love
hushed spe[illegible]C. LeRoy Adams, white physician and poli-
life with Dr. [illegible] man she killed "during a struggle over a
tician . . . th[illegible] produced."
pistol he ha[illegible]y heard her story and then found her guilty
The jur[illegible]ree murder. The jurors refused to ask that
of first deg[illegible]m any mercy.
she be show

P. 1 13-4c

In a thin, low voice, she told her story with frequent interruptions of objections by the state. Several times she was admonished to speak louder by the court so that the jury might hear her distinctly. The story did not come out in narrative form as Defense Counsel Frank Cannon, solicitor of the Duval County (Jacksonville) Criminal Court of Record, had planned.

The court sustained an objection by the prosecution that it would be too rambling, and confined it to interrogation by defense counsel and answers by Ruby McCollum.

Pittsburgh Pa

RUBY STATED that she had known Dr. Adams for seven years. He had attended her at the birth of her third child, Sonya McCollum, but the alleged intimate relations between them did not begin until 1948 and continued until his death Aug. 3, 1952, she testified.

CANNON: Beginning with the birth of Sonya, did you have sexual relations with Dr. C. LeRoy Adams?

(State, through Assistant Prosecution Counsel Edwards declares the question is improper.)

Sat - 1-3-53

CANNON (Heatedly): Since the state objects to all testimony, I propose to show by this witness (Ruby McCollum) that Dr. C. LeRoy Adams did begin to have sexual relations with this woman at the of the birth of Sonya and continued down to the of his death, and nobody knows this any better the State of Florida!

(State objects, but is overruled by Judge Adams.)

RUBY: No, not right then.

CANNON: Later on, did you?

RUBY: Yes, I did.

(State objects through Attorney Edwards on the ground t) such testimony would tend to confuse the jury and prejud

(Continued on Page 4, Col. 3

the jury; further, that it was no defense to the charge.)

CANNON: The defense contends that it is a mitigation and most material.

(Objection overruled.

Now tell the jury when and where.

RUBY: About three months after Sonya was born I continued sick. Dr. Adams was waiting on me. I asked if something could be done for me to get me well. Dr. Adams told me, "I can do something for you if you will do something for yourself. I will get you well provided you do as I say." I pretended not to understand and he told me, "You are not green. You understand what I mean." No, I'm not green and I guess I do understand, but I can't hardly believe my ears.

Courier

CANNON: Tell us if you ever had intercourse with Dr. Adams, and when and where?

13E

RUBY: At my home in 1948 for the first time.

CANNON: Use the exact words that the Doctor said. Did he solicit you? You solicit him? Or did he take it away from you? I'll put it all three ways.

(State objects that testimony of witness does not bear on case.)

Sat. 1-3-53 Fla

CANNON: You have to have something to make a case for the jury. It is silly to just say she shot him.

(Objections overruled. Ruby can answer.)

RUBY: Dr. Adams came to my house that afternoon on a professional call. He told me, "I'll be back in the morning after I finish my work and show you what I mean." He came the next morning and took me upstairs and laid me across the bed. Afterwards he told me, "I'll be back. You must call me sometimes." The second time he came I was not at home, but saw him later. After that intercourse he told me, *(implication that he was annoyed by her absence and thought she was avoiding him)*, "I want you to understand right now that I don't want no foolishness. And further, rest assured that nobody is going to bother you, and nobody is going to bother me. Nobody is going to be any trouble to neither one of us." I couldn't tell him no. He came to my house in 1950 one day and I told him "I am almost afraid." "Afraid of what?" he asked.

RUBY: You know. We haven't been using a diaphram.

DR. ADAMS: To hell with that. I don't bother with things like that. In October I told him that I was pregnant. "I know it," Dr. Adams said.

In reply to a question by Attorney Cannon, Ruby stated that she had intercourse with Dr. Adams very frequently. Sometimes at her home and sometimes at his office. They had a scheme worked out to hide their relationship from others.

RUBY: Dr. Adams told me, "When I call you, you say, 'yes, I need you. Somebody is sick.' If there is somebody around to hinder what we want to do, say it has been a mistake (wrong number). If my husband picked up the phone, Dr. Adams would hang up.

CANNON: Did you become pregnant after beginning relations with Dr. Adams?

RUBY: Yes, I became pregnant in October, 1950.

CANNON: Did Dr. Adams make any provisions for you in your condition?

RUBY: Yes, Dr. Adams told me to go to Dr. Saunders at Valdosta, Ga., at the Griffin Hospital. I stayed there three days then returned home. Dr. Adams came out next morning and continued to treat me and the baby for twelve days, till we were all right.

CANNON: Was this Dr. Saunders a friend of his?

RUBY: He told me that Dr. Saunders was his first cousin.

CANNON: Did you ask Dr. Adams for a birth certificate for the child?

RUBY: Yes.

(Strenuous objection by state sustained.)

CANNON (to Court): On what ground is objection sustained so that counsel may be guided? Then let the jury retire so that I can say what I want to. Judge Adams ordered the jury to retire and Ruby was then allowed to answer.

RUBY: One month after the birth of my last child I told him (Dr. Adams) that I had not received the birth certificate. Had he had it made out? He said yes, that he had. It was made out in his name (as the father) the child's name was made out as Loretta Adams, but he was not going to give it to me unless I did as he said.

(State objects, no defense, immaterial.)

CANNON: Testimony of this nature would weigh heavily with me if I was on the jury. It is testimony of the highest authority, and impossible to be manufactured. The state's attempt to bar all testimony by this witness is unreasonable, and unfair. The attempt on the part of the state to bar all testimony from the ears of the jury is unpardonable. The accused should be protected by law.

(State objects and is sustained.)

CANNON: Is all testimony by Ruby McCollum concerning the birth certificate going to be barred by the court?

JUDGE ADAMS: It is.

CANNON: No disrespect intended to the court, but I am going to ask it all over again to protect the rights of the defendant.

(Jury recalled to courtroom.)

CANNON: The baby, this youngest child of Ruby McCollum's, is here in court at this moment. It is in the balcony, and I desire to present it to its mother for identification and as evidence.

(Assistant State's Attorney Edwards is on his feet immediately and objecting strenuously. The objection is sustained angrily and Ruby is warned about answering before counsel has time to object.)

CANNON: Were you pregnant on Aug. 3, 1952, and by whom?

RUBY: By Dr. Adams.

CANNON: Did you have any conversation with Dr. Adams concerning this second pregnancy?

(Objection sustained.

CANNON: How far had your pregnancy developed on Aug. 3, 1952?

RUBY: Two months.

CANNON: Had you been going to see him (professionally) a long time before?

RUBY: No, but he treated members of my family.

CANNON: During the month of May, 1952, did Dr. Adams strike you?

(Objection. Ruby not permitted to answer.)

CANNON: He struck you in March? May? July? February, January of 1952?

(Objections. Ruby not permitted to answer.)

CANNON: Did you have intercourse with Dr. Adams in his office in 1952?

RUBY: Yes sir, I did.

CANNON: Tell the jury the circumstances.

(Objection sustained.)

CANNON: Remember what day Aug. 3, 1952 was?

There came a long and tense silence. It smothered the room like a London fog. Ruby dwindled visibly in her seat. Her small hands trembled, her features assembled a piteous look. Finally she managed to speak.

RUBY: Yes, I remember that day. It was a Sunday.

CANNON: Did you go to Dr. Adams' office?

RUBY: Yes.

CANNON: What time?

RUBY: I, I don't know the exact time. I believe it was around 10 o'clock. I had Sonya and Loretta, my two youngest children with me. I had to take them with me because there was no one at the house to look after them.

CANNON: Had you continued sexual intercourse with Dr. Adams until Aug. 3 of this year?

RUBY: Yes.

CANNON: About how often?

RUBY: Many times. I don't know how many times at home and at the office.

Ask New Trial For Ruby

LIVE OAK, Fla. — A motion for a new trial has been filed with the clerk of the Circuit court in Live Oak.

Atty. Frank Cannon of Jacksonville, defense lawyer, filed the motion which contained 58 counts of alleged errors by the state in the murder trial which ended Dec. 20, 1952.

$100,000 Insurance Stock At Stake In Suit

Defender p. 1

LIVE OAK, Fla.—The widow of the slain Dr. LeRoy C. Adams has filed a $100,000 suit against Mrs. Ruby McCollum, recently convicted of first degree murder in connection with the doctor's death.

Mrs. McCollum's husband, Samuel, died last August as he fled Live Oak with his children following the sensational shooting of Dr. Adams. A court hearing bared intimate relations between Mrs. McCollum and Dr. Adams and a charge that the medic fathered Mrs. McCollum's 15-month-old daughter, Loretta.

The McCollum estate includes large blocs of stock in the Central Life insurance co., of Tampa of which McCollum was a director. Observers see the possibility of Mrs. Adams succeeding him in this position should she win her suit against Mrs. Collum.

Date 1-17-53

Mrs. Adams contends in her suit that the death of her husband deprived her of "the comfort, association, protection and support" of her mate.

Her Son Won't Talk

$33,000 of Ruby's Money Is Missing!

Courier p. 1

By TREZZVANT W. ANDERSON

(First in a Series)

Pittsburgh, Pa.

LIVE OAK, Fla.—Not since the "anti-Negro" fire of 1901 which wiped out almost all of Jacksonville, has the State of Florida been rocked by sensation after sensation as it has been in the Ruby McCollum case!

Date 1-24-53

This week comes the startling report that $33,000 in cold, hard cash—property of the McCollums—is missing! This, after the youthful McCollum son, who is a student at the University of California, had been walking around with $80,000 in cash on his person!

Equally as sensational — although in another realm — are those still unanswered questions sweeping all over Florida as the defense continues its fight to save Ruby from Florida's electric chair:

"What happened to Ruby's handbag in which were some seventeen $100 bills?"

"What happen to that $1,700?"

"Is that fifteen-month-old baby really Dr. Adams' child?"

"Will Dr. Adams' widow win her $100,000 civil suit against Ruby and the McCollum estate?"

Courier

These and other questions are on the lips of Negroes from one end of this thousand-mile-long state to the other. Perhaps, somewhere, sometime, they will be answered.

"What is behind this whole thing?" That is the biggest question of all!

1-24-53

REPORTS LAST week that 19-year-old Sam McCollum Jr., son of the late husband of Ruby McCollum, had been walking around Live Oak with $80,000 in cash in a suitcase created a sensation.

Then came a still greater sensation: the youth had been made to put the money in the First National Bank of Live Oak, but, according to reports, only $47,000 had actually been deposited!

Where is the other $33,000? That is one question begging for an answer. One thing is certain: it is somewhere! But, where?

Quite understandably, at this time when the air is charged with a tenseness that defies description, Sam Jr., is not talking! Counsel for Mrs. McCollum, naturally, would not permit any statements to the press at this time. But people are whispering everywhere about the very idea of the youth carrying such a large sum of money around with him.

* * *

AS FOR THE $100,000 civil suit filed against Mrs. McCollum and the McCollum estate, defense counsel feel positive that that suit will not get to first base.

The conference with the Courier last week, handsome Frank T. Cannon, white, and his partner in the defense, Rutgers-educated Releford McGriff, pointed out the amended Florida Statutes of 1951 which say in unequivocal language:

"The common law rule whereby a husband is liable for the torts of his wife is hereby abrogated."

This amendment to the law was passed by the 1951 Florida State Legislature, and is sufficiently competent to defeat the suit filed by former Suwannee County State Attorney A. K. Black last week, asking $100,000 from Mrs. McCollum and the McCollum estate for the death of Dr. C. Leroy Adams last Aug. 3. The suit was brought in behalf of the doctor's widow, Mrs. Adams.

EXPRESSING HIS own personal opinion about Mrs. McCollum Attorney Cannon told the Courier: "This woman is partially crazy. She has hallucinations."

This gave rise to the belief that when the case enters its next phase the defense will rely more heavily upon plea of insanity, temporary insanity, to save their client from death in the electric chair.

"The only thing I'm sorry about is that I didn't get into the trial from the start," Attorney Cannon told the Courier.

Meanwhile, it has been revealed that contrary to general belief, Attorney Black did not resign his State's Attorney post especially to bring this suit. He had announced some time ago that he intended to give up his position. He was succeeded by William Slaughter of Live Oak.

But those unanswered questions are still traversing the length and breadth of Florida. They are the big questions of the moment as Ruby's counsel continue to wage their desperate fight to save the woman who has become caught in the toils of a sociological web of interracial intimacies which now have her facing the electric chair.

What are the answers? Who knows?

Ruby's Story:

Doctor's Threats, Tussle Over Gun Led to Slaying!

EDITOR'S NOTE: Last week, the Courier carried Mrs. Ruby McCollum's testimony in which she stated that Dr. C. LeRoy Adams (white) had been her lover and fathered her last child before she killed him during a scuffle for his gun in his office at Live Oak, Fla. Mrs. McCollum shot and killed Dr. Adams last August in his office. At her trial last month, she was found guilty . . . without mercy. The last part of her testimony follows:

Courier Sat. 1-10-53

By ZORA NEALE HURSTON 13c

(Noted Novelist, Lecturer and Newspaperwoman)

LIVE OAK, Fla.—The courtroom remained hushed and tense as Mrs. Ruby McCollum told the jury why she killed Dr. C. LeRoy Adams, wealthy physician and politician.

She was constantly cross-examined by her attorney, Frank Cannon. solicitor of Duval County (Jacksonville).

ATTY. CANNON: Prior to Aug. 3 did Dr. Adams try to induce you to leave your husband and move out on his farm?

(Objection sustained.)

Did Dr. Adams ever ask you to leave your husband?

(Objection sustained).

On Aug. 3 were you indebted to Dr. Adams?

RUBY: Yes, for $6. I know about that . . .

(Objection sustained.)

CANNON: (With a look of pain and frustration on his face). Tell us what you did when you left home.

RUBY: (After long pause) With my two youngest children, Sonya and Loretta, with me, I drove down to Dr. Adams' office. I saw that the office was closed and some people waiting. I stayed in the car with the children for awhile. Then I went into the office and sat and talked awhile. There were some white patients ahead of me. I sat and talked until Dr. Adams came out (into colored waiting room). He told me to come on in. I turned to the people in the room, and asked, "You people ahead of me?" but Doctor said it was all right for me to come on in. I had a pain in my right shoulder, and he gave me a shot of penicilin in my right arm. I owed him for three shots ($9) and started off. Then I thought about the bill. Then I said, "The bill came out to the house to Sam."

(This exchange of words could be interpreted as a veiled lover's quarrel about something else. It is common talk that Dr. Adams never dunned anybody for payment. The McCollums had a reputation for always paying their bills. They had been using Dr. Adams as family physician for six years. They had received numerous bills from his office on the first of the month, and had never failed to pay promptly. The only logical conclusion is that they were talking in code for the benefit of the three colored women in the waiting room. It must not be forgotten that Ruby was two months pregnant by Dr. Adams for the second time, nor that Dr. Adams was pressing her to leave her husband and move out to his farm. Also, it has been hinted that the envelope in which the bill was mailed to Sam McCollum contained something beside that bill. It was intended for Sam's eyes, but Ruby intercepted it by opening the letter herself on Saturday night. Friday was Aug. 1. Hence, Ruby hastened down to the office on Sunday morning as soon as Sam went to church. Do not forget that Thelma Curry kept the records of the Negro patients and mailed out the statements. She was a witness for the state, and on the stand said she did not know the amount of the bill, nor even who mailed them out.

It is very strange, as Defense Lawyer Cannon remarked, that the bill which the state claimed precipitated the killing, was not offered in evidence. Nor was the over-the-shoulder large handbag which it was claimed contained the pistol when Ruby went to the office. Cannon made it plain that he thought that peace officers stole that bag and its contents, including eighteen $100 bills that Sunday morning after Ruby was rushed away from her home, leaving only her small children there.)

UNDER cross-examination by Attorney Cannon, Mrs. McCollum said she entered Dr. Adams' office on this fatal morning and reminded the doctor that he sent the bill "out to the house to Sam" (her husband).

She quoted Dr. Adams as saying: "Yes, and I'm going to get mine if I have to go to the county judge."

Ruby said she asked him the amount of the bill. She quoted the doctor as saying "$116."

Ruby then said she paid Dr. Adams $9 for the three shots and an additional $100 and asked him for a receipt. She said he wrote the receipt and handed it to her. She said the doctor detained her after she put the receipt into her pocketbook and headed for the door. She told the court that the doctor led her back of a screen hiding the operating table and demanded that she get on the table.

She testified that she told the doctor her shoulder was hurting, but that the doctor accused her of being cold.

"I'll do what I can, but how about some other time?" Ruby said she told Dr. Adams.

* * *

IN A hushed courtroom, Mrs. McCollum said Dr. Adams told her: "No! I want you up there today! You get up there." Ruby said the doctor then slapped her and that she again told him that she didn't "feel up to it," but that she would try to do what he wanted her to do.

She said Dr. Adams struck her again. It was then, Mrs. McCollum said, that I said, "Never again" and began to fight in earnest. She said the doctor "picked up the gun from somewhere back there and poked it in my stomach, demanding that I get on the table."

Mrs. McCollum said it was at this time that the two of them tussled over the gun. (Dr. Adams was shot four times). Mrs. McCollum said she blacked out after this and did not "come to" until she reached her home. She had changed her dress and prepared the baby's formula when police officers arrived.

RUBY: Mr. Gray (deputy sheriff) went upstairs behind me and told me, "I know your husband and have often done things for him." After Ruby had revealed where she had disposed of the gun, she was placed under arrest and taken away. What became of the pocketbook that she had carried that day and it's important contents, she has no idea.

Afternoon session, Friday, Dec. 19, 1952.

Cross-examination of Ruby McCollum by state.

O. O. Edwards: (Assistant State Attorney) What time did you say you left home?

RUBY: I can't say exactly. 10-10:30 I guess.

CANNON: (Defense) You have testified that you were pregnant on Aug. 3. Are you pregnant now?

(Objection sustained.)

CANNON: Did you have a miscarriage?

(Objection sustained.)

STATE: (Edwards) On Aug. 23, while you were at Raiford, did you write a letter to Mr. Crews (P. Guy Crews, formerly Ruby's lawyer) which came into the hands of R. H. Cox, director of the Women's Department at the State Prison Farm, denying sex relations with Dr. Adams, and further stating that he was not the father of your child, and that you had never had sex relations with any other man than your husband?

RUBY: I did write something like that.

CANNON: (On his feet with hot challenge in his eyes) Tell the jury now WHY you wrote that letter.

(Objection sustained.)

CANNON: (Seeking a way past the barrage of objections) Did anyone do anything to you to force you to write that letter?

RUBY: I was afraid. A nurse gave me 2ccs of some drug and it put me to sneezing and feeling very ill. I wrote it because I was afraid.

CANNON: Before you wrote that letter, were there officers continually asking you about your pregnancy?

RUBY: I don't know whether he was an officer or not, but he came in and held by arm while the nurse gave me the shots.

CANNON: What were you afraid of?

RUBY: Being in such a place, then too, what they would do to me. I was told that I would get a bigger dose next time if I didn't get rid . . .

(Objection sustained.)

This matter dealt with her miscarriage while at Raiford.

3:25 P. M.: Atty. Odis Henderson, for the defense, begins to address the jury. He developed the theory of the defense that the killing of Dr. Adams could not be sustained as premeditated murder. The state had not proved its case as such. The physical facts, the wounds, indicated that they had happened during a scuffle. He made a vigorous attack upon the four Negro witnesses for the state, charging that what they testified had been put into their mouths by State Attorney Black. Henderson accused them with scorn of "dealing in cesspools of truth." "A deaf woman (Carrie Dailey) testified to what she heard, and a blind woman (Della Arnold) swore to what she saw." Young Henderson, after stating that this was his very first murder trial, ended his speech before the jury touchingly by saying, "Do unto her as you would have done unto you under similar circumstances."

• • •

Assistant State Atty. O. O. Edwards made a more emotional appeal to the jury. He played on emotional traditions. The jury was urged not to believe that Ruby McCollum had been the mistress of Dr. Adams. The thought was repugnant. "She killed him to keep from paying the $116 medical bill. Shot this prominent citizen in the back, gentlemen, a man whom we all knew and loved so much and was so much needed by white and colored, then went home, changed her dress and fixed her baby's formula."

He demanded the death penalty without mercy.

SATURDAY MORNING, DEC. 20, 1952

A. K. Black, State Attorney for Suwannee County, began to address the jury as soon as court opened. Black developed no further theory of the killing. He based his case on the medical bill, and Ruby's resentment at being asked to pay it.

"You all know that a good way to get them (Negroes) mad is to try to collect. You've seen 'em mull" (sullen). Black cautioned the jury not to be deceived by Ruby's behavior on the stand. He warned that she was highly intelligent, wealthy, but full of sly cunning. She had been planning for her day in court from the time that she went to Dr. Adams' office on the morning of Aug. 3, 1952. He began his address by paying compliments to the defense attorneys, and ended by demanding the death penalty for Ruby McCollum.

YOU COULD see the spectators coming alive the moment that Frank Cannon, Florida's legal Jack Barrymore got to his feet. The man's dynamic personality exploded for a 100 feet around him in all directions. He could easily pass for the brother of Senator Spessard L. Holland. They look that much alike, but possibly Frank Cannon is a trifle more striking. Cannon is destined to go a long way in this world.

First he acknowledged the

compliments of State Attorney Black, then added dryly, "Even if he did almost get me run out of town the day this case opened."

Attorney Cannon referred to Black's attempt to bar him from the McCollum case.

Defense Attorney Cannon continued to develop the theory that the killing was not one of premeditated murder, but of sudden passion. That the contention of the state was ridiculous."

"Loretta Adams (Ruby's last child), the fruit of the body of Dr. C. LeRoy Adams was right here in this courtroom, but prevented of being exhibited to the jury. The state has sought to keep all evidence from reaching your ears. It is a matter of conscience. God forbid that I ever sit as a prosecutor and withhold evidence from a jury!" Attorney Cannon said.

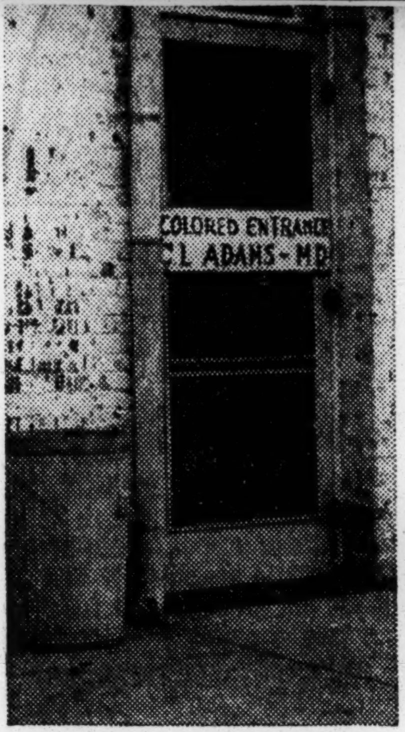
"The case of Dr. Adams and Ruby McCollum is not rare. A lot of white men, as you call it, get messed up with n——r women. You men of the jury know men who are doing the same thing," Cannon said.

Insisting again that the state had not proved premeditation, and that it had excluded all evidence that might be helpful to the defendant, Atty. Frank Cannon asked for a second-degree verdict, and took his seat.

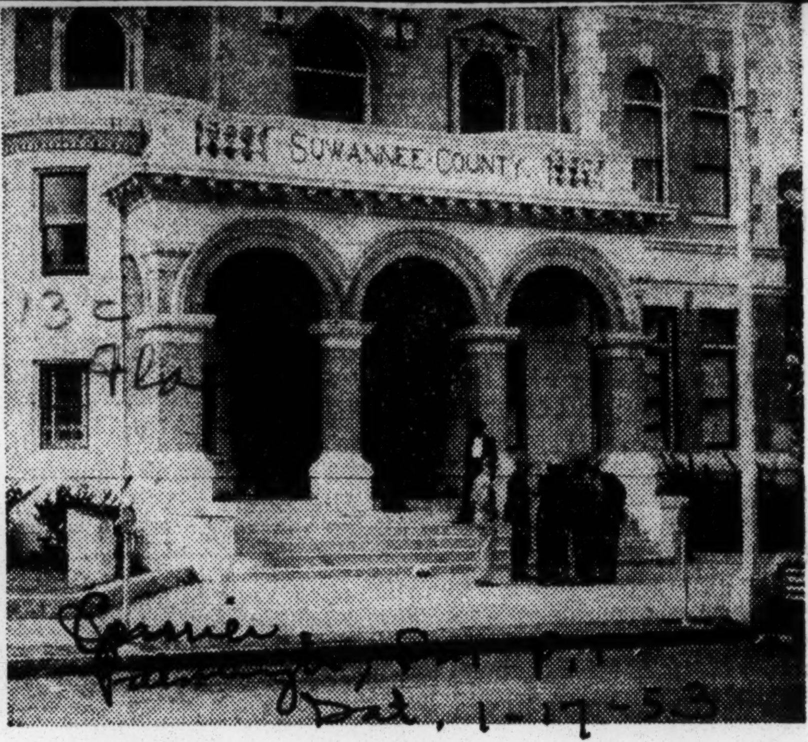
Judge Adams charged the jury, and the twelve jurors retired for consideration at 11:24 A. M. The jury filed through the courtroom at noon on the way to dinner. At 2:21 the knock came on the door and the jury brought in its verdict.

"We, the jury, find the defendant, Ruby McCollum, guilty of murder in the first degree. So say we all."

Defense Attorneys Cannon and Henderson indicated immediately that they would file an appeal within the fifteen days allowed by the court. Attorney Cannon went into conference with the male members of the family without leaving the courtroom.



This is the "colored" entrance to the office of the late Dr. C. LeRoy Adams.



13 c Fla

Courier
Pittsburgh, Pa.
Sat, 1-17-53

The Suwanee County courthouse, Live Oak, Fla., where Mrs. Ruby McCollum was tried and convicted for the fatal shooting of Dr. C. LeRoy Adams.

Plea for New Trial Scheduled This Week

Widow of Slain White Doctor Sues McCollum Estate

13 c Fla

By ZORA NEALE HURSTON

(Noted Novelist, Lecturer and Newspaperwoman)

LIVE OAK, Fla.—The attorney whose prosecution placed Mrs. Ruby McCollum n the shadow of the death chair . . . A. K. Black . . . has resigned as state attorney fo Suwanee County, Fla.

He quit his post to represent Mrs. Florrie Adams (white), widow of the slain Dr. C. LeRoy Adams, who has filed a $100,000 suit against Mrs. Collum and the estate o er dead husband, Sam McCollum

Mrs. McCollum shot and killed Dr. Adams last August and was ound guilty, without mercy, at er trial last month. Mr. McCol um died of a heart attack short y after the doctor had been killed.

Courier

During her trial, Mrs. McCollum testified that she and Dr. Adams had been "lovers" and hat he was the father of her last child.

Pittsburgh, Pa.

UNCONFIRMED REPORTS in imate that Mrs. McCollum is worth close to $200,000, while McCollum's estate is in excess of this amount.

Sat. 1-17-53

And as Ruby's troubles mount d, these other developments were vident:

1. **Relesford McGriff, first Negro attorney to enter the case, joins former county solicitor Frank T. Cannon to appeal for a new trial based on different points. Judge Hal Adams is set to hear the motion this week.**

2. **The inheritance of the three McCollum children is threatened by the suit of Mrs. Adams.**

Courier

3. **Danger of little relief from the mandatory death sentence faced by Mrs. McCollum is seen . . . and a judgement against her monies would tie up future defense funds.**

Sat 1/17/53

4. **If Mrs. Adams' suit is successful, a large block of stock owned by McCollum in the Central Life Insurance Company of Tampa would fall into the hands of white ownership.**

Mrs. Adams is asking the $100,000 damages on the grounds that she has been deprived of the "comfort, association and protection of said husband, and also has been deprived of the support of said husband."

• • •

13 c Fla

AS EVENTS continue to unfold in the gripping tragedy, Mrs. McCollum found her troubles mounting. A faint ray of hope still gleamed through all the darkness as her attorneys prepared to argue a motion for a new trial on fifty-eight different points before Judge Hal Adams.

Two top attorneys are making the appeal . . . Atty. Frank T. Cannon, former county solicitor, and Releford McGriff, noted Florida Negro attorney . . . the first Negro attorney to enter the picture. ....

The suit filed by Mrs. Adams came as a bombshell as interested spectators were anxiously awaiting the judge's decision on a new trial. Sentence has yet to be passed on Mrs. McCollum, found guilty of first degree murder of Dr. Adams by an all-white jury.

• • •

MRS. McCOLLUM has testified that she had shot Dr. Adams during a scuffle over a pistol in his office in August. She told the Court during her tense trial that she had been intimate with the highly respected white physician over a period of years and that he was the father of her 15-month-old daughter.

Her husband, Sam McCollum, wealthy businessman, died shortly after the slaying, leaving a large estate in both real and personal property. The joint holdings of the McCollums has been estimated by close associates as being close to $500,000.

The suit for $100,000 has been filed against both Mrs. McCollum and the estate, which under normal circumstance would go to the three McCollum children if the mother were to die in the electric chair. A successful suit on the part of Mrs. Adams would deprive the youngsters of this inheritance.

• • •

INCLUDED IN THE McCollum estate are large blocs of stock in the Central Life Insurance Company of Tampa, one of the largest Negro-owned insurance companies in the Deep South. If Mrs. Adams' suit is successful, it would place her in the position to become the first white director of a Negro-owned life insurance company. McCollum was a director of the company at his death.

Matthew L. Jackson and Roland J. Yates were appointed administrators of the estate of Sam McCollum. There has been widespread conjecture on the attitude of the civil court toward the suit.

Herald
Miami, Fla.
Thurs. 2-5-53
P.1 Section D

13c Legal Sentence

FACING THE BAR OF JUSTICE, three suspects in the murder of County Patrolman Edward E. Fritz, Jr., were given a preliminary hearing Wednesday before Justice of the Peace Edwin Lee Mason. Left to right, Percy (Wassie Blue) Armbrister, George (Limpy) Anderson and Richard Floyd. At right, State Attorney George A. Brautigam and Sheriff Thomas J. Kelly. —Herald Staff Photo by Stan Wayman

Papy Cites Record of Anderson

13c

Court Not Asked About Clemency

Legal Sentence

Other story on Page 1-A

Fla.

By **HENRY O. RENO**
Herald Staff Writer

Miami Detective C. C. Papy took the Florida parole board severely to task Wednesday for freeing George (Limpy) Anderson from state prison.

Herald

The 31-year-old Negro ex-convict was captured Tuesday as one of three suspects in the slaying of County Patrolman Edward E. Fritz, Jr., even as he was wanted as a parole violator.

Miami

Papy had watched the Negro's lawless career since he and Detective Roy A. Hancock, now retired, captured Anderson in 1941 after a series of 11 pistol-whipping holdups for which he was sentenced to 25 years.

Thurs. 2-5-53 P.1 Section D

"I would like an explanation from the state parole board," Papy said Wednesday, "as to why they turned this man loose without asking this department, or the court that gave him the stiff sentence of 25 years, about his record.

"In view of his record here and his escape from state prison, it leads me to wonder why he was ever paroled."

The background to Anderson's arrest in the Fritz killing—as he pretended to be a guy named 'Willie Walker" who was "just fishing" — closely paralleled the events of 1941 that led to his long prison sentence.

Papy recalled that the 11 holdups that had led to Anderson's capture back then were similar to a recent wave of pistol-whipping robberies for which Anderson and others are under investigation.

Back then, in a holdup of a package liquor store at NW 17th ave. and 28th st., Anderson struck a White woman and locked her in a rest room, Papy related.

In another holdup, he beat an aged watchman in a 79th st. open air market so badly that the watchman was confined to a hospital.

Papy and Hancock were in Criminal court in October, 1941, when Judge Ben C. Willard sent Anderson up for 25 years.

While at Raiford, Anderson escaped, the detective said, and he later was shot and recaptured in Ocala.

Despite this record, Papy said, Anderson was paroled without notice to Miami police, and without prior consultation with either the police department or the court that had sentenced him.

First notice to Miami police that Anderson had been freed from prison, the detective said, came last May 4 in the form of notification that the Negro was wanted as a parole violator.

Anderson was captured in the widespread manhunt that followed the shooting of Officer Fritz. The Negro now faces first degree murder charges.

Florida Man Sentenced For 1950 Slaying

13c Legal Sentence

CRESTVIEW, Fla. — (Special) — Edward Davis, of nearby Milligan, is being held in the Okaloosa County jail here awaiting transfer to the state prison at Raiford to begin a five-year sentence for the slaying of a Negro there in 1950.

Davis was sentenced in Circuit Court in June, 1950, but has been free since then on a number of court appeals. He was picked up on orders from the office of Gov. Dan McCarty to be turned over to Raiford officials.

Chicago Defender
Sat. 1-24-53
P. 1

Floridan Receives Life Imprisonment

JACKSONVILLE, Fla —(INS)— George Turpin, a 28-year-old escaped Alabama convict who robbed and shot a white Jacksonville used car salesman and left him paralyzed in the woods for five days has been sentenced to life in prison.

B. E. Raines, the victim, identified the man who shot him in the back from a stretcher in criminal court.

Turpin pleaded guilty to armed robbery and assault with intent to murder charges. Judge William Harvey accepted both pleas but withheld sentence on the assault count.

Raines disappeared Thanksgiving Day after taking a car to show a prospective buyer. Two days later, Turpin was arrested.

Turpin denied harming Raines until the salesman was found and identified his assailant.

The man retraced the steps in the crime for officers and said he threw the pistol he used to shoot Raines into the Arlington river. Police later discovered he sold the gun for $10.

World
P. 1
Atlanta, Ga.
Wed. 3-4-53

13c Legal Sentence

Florida Officer Cleared In Killing Of Motorist

Journal & Guide

(Special to Journal and Guide)

HOMESTEAD, Fla.—Criminal prosecution of Paul Minnick, Homestead policeman, was counted out Tuesday when a Dade county grand jury failed to indict the officer who was charged with first degree murder in the Christmas Day slaying of Emmett Jefferson, 30-year-old motorist.

Three or four shots from the officer's gun struck the youthful victim while his aged father pleaded with the policeman not to kill his son.

P. 1
Sat. 1-10-53

13c Fla.

MINNICK WAS arrested the day following the slaying and lodged in jail on a warrant issued by Justice of the Peace Vernon Turner.

After reports that a speeding automobile had forced a woman driver off the road, Officer William Fasulo arrested Jefferson at the home of a friend in Florida City. He said Jefferson escaped in his car. Fasulo gave chase and radioed Homestead police to set up a road block.

Norfolk, Va.

Jefferson's car went around the road block and Officer Minnick and Sgt. J. C. Arrant joined Fasulu in the pursuit. Fasulo arrested Jefferson as he pulled into the yard of his home here.

No Indictments Returned For Moore Slayings

MIAMI — (INS) — A federal grand jury probing terror and violence in Florida Wednesday indicted seven reputed members of the Ku Klux Klan — a group which the jury earlier branded as being founded on the worst instincts of mankind.

Six of the indictments accused the suspects of making false statements before the jury. The other indictment charged the alleged Klansmen with making a false statement about membership in the hooded order, as well as giving false statements about his criminal record while applying for a federal job.

Those named were William J. Bogar, identified in the report as the former exalted cyclops of the Apopka Klavern; [illegible] McMennany, Harvey S. Reisner, Emmet M. Hart, Ernest Glen Morton, all of Apopka, and Robert L. Judah of Winter Garden.

FALSE STATEMENTS

Simon Smith Manning of nearby Orlando was accused of giving the false statements.

Bogar, McMennany and Hart were accused of the flogging of two Negroes and attempting to waylay reporters and attorneys for the defendants in the notorious Groveland rape case in 1950.

The grand jury report identified the riders in the threatened car as Horace Hill, Daytona Beach, and Frank Williams, Washington, attorneys for the NAACP, Ted Poston, reporter for the New York Post, and Ramona Lowe, reporter for the Chicago Defender.

AUTOMOBILE CHASE

They escaped from the band of men after a wild automobile chase.

Judah and Reisner were accused of lying when they denied beating two Negroes—one for union activities and one for no apparent reason.

Those indicted yesterday were ordered to report June 19 in Federal Court at Miami for arraignment.

The jury, which started its meetings almost a year ago, also probed into the Christmas night bombing in 1951 that killed Negro leader Harry T. Moore and fatally injured his wife in their home at Mims, Fla.

No indictment was forthcoming on any phase of the murder.

Last December 10, four persons including a Miami social worker were charged with perjury as a result of a grand jury investigation into a wave of bombings and attempted bombings of Negro and Jewish properties.

Thurs 6-4-53

Pardon Board Denies Clemency For Florida Youth

Courier

Pittsburgh Pa.

TALLAHASSEE, Fla.—(Interstate Press)—The State Pardon Board on last Friday denied clemency for Orion Nathaniel Johnson, Ocala Negro schoolboy, who is under death sentence for the April, 1951, slaying of Sheriff Edward Porter Jr. of Marion County (Ocala).

Sat 6-27-53

Johnson was 16 at the time of the slaying and was a student in Howard Academy, the high school here.

The State Supreme Court already has upheld his conviction and death sentence.

Ruby's Lawyers Balk at Order

LIVE OAK, Fla. — Attorneys for Mrs. Ruby McCollum have protested the recent order directing a distribution of $3,000 of the estate of the late Sam McCollum to his heirs.

Courier 9.4

Atty. Frank T. Cannon of Jacksonville, who represents Mrs. McCollum, stated that he did not have an opportunity to resist the distribution order because he had not been advised of the hearing. He said that recipients of the distribution are to be Mrs. McCollum and her four minor children.

Pittsburgh

Sat 9-12-53

Cannon charges that this distribution would take away attorney's fees.

Death Sentence Passed On 3 Florida Negroes

..MIAMI, Fla., Oct. 20 (AP)—Three Negroes were sentenced today to die in the electric chair for the murder of a country road patrolman.

Circuit Judge George E. Holt imposed the sentences on George Anderson, 31; Percy Ambrister, 23; and Richard Floyd, 20.

The three were convicted Sept. 23 for the fatal shooting of Dade County road Patrolman Edward E. Fritz Jr. on Feb. 3 after a holdup at the Benner Box Co.

During the trial witnesses testified the three men held up the box firm and made off with about $7,500 in cash. Patrolman Fritz stopped the escape car a few minutes after the robbery and was shot and killed before he had a chance to draw his own gun.

GETS LIFE SECOND TIME FOR KILLING NEGRO IN FLORIDA

MIAMI —(INS)— Former big-time fight manager Eddie Coco Thursday received his second life sentence in Miami for murdering a Negro car washer.

The first was ordered last year by a Circuit Court jury which heard the pudgy ex-manager of former middleweight champ Rocky Graziano tried on a first degree murder charge following the shooting of Johnny Smith. Smith was killed near Coco's Miami Beach apartment February 1, 1951.

P. 1

However, the Supreme Court of Florida granted Coco a new trial on a technicality. His second conviction on a second degree murder charge came in criminal court October 29.

Sat 11-13-53

Judge Ben C. Willard denied a motion for a new trial, but continued Coco's $25,000 appeal bond while the case is prepared for review by a higher court.

The defendant also entered a plea to be declared insolvent—which would make the state pay the costs of a trial if another is granted.

However, Judge Willard withheld action on the insolvency plea until he can make sure that Coco's friends are putting up the bond money and that the 43-year-old New Yorker actually is broke.

Johns Orders Boy's Execution

TALLAHASSEE —(AP)— Acting Gov. Charley E. Johns Wednesday issued a death warrant for execution of Nathaniel Orion Johnson during the week of Dec. 14 for slaying Sheriff Edward Porter, Jr., of Ocala in April, 1951.

It is the second death warrant that has been issued for the young Negro, who was a 16-year-old high school student at the time of the killing.

The late Gov. Dan McCarty once ordered his electrocution for July 6, but canceled the death warrant to allow Johnson's attorneys time to take the case to the Supreme Court of the United States. An aide of Atty. Gen. Richard Ervin said Wednesday no appeal ever has gone to the United States Supreme Court.

Miami, Fla

Herald

The Florida Supreme court twice has declined to interfere with the death sentence.

Johnson contended he acted in self-defense when he stabbed the sheriff with an ice pick, then shot the officer with a pistol he took from him.

The sheriff had arrested Johnson at the high school he attended for investigation in connection with alleged purchase of a white dinner jacket with a forged check.

Thurs 12-3-53

P. 17 A

Prosecutors contended the boy got the ice pick when the sheriff sent him inside his home to get the jacket, and the stabbing occurred when Johnson returned to the officer's car.

Johnson claimed the sheriff abused him during a search of his home.

Youth saved by reprieve

Afro American

Sentenced to die for 1951 slaying

TALLAHASSEE, Fla. — Orion N. Johnson, youthful slayer of Marion county sheriff, Edward Porter, last Monday received his second last-minute reprieve from death in the Florida electric chair at Raiford.

Baltimore, Md

Acting Gov. Charley E. Johns recalled and cancelled the death warrant by which he had ordered Johnson to die last week for the 1951 killing.

He gave the youth's lawyer 30 days to argue a habeas corpus petition in the Florida Supreme Court and take an appeal to the United States Supreme Court if one is necessary.

Sat 12-26-53

First Reprieve

The late Gov. Dan McCarty also cancelled a death warrant last July to give Johnson's lawyers a chance to take the case to the U.S. Supreme Court. They never went to Washington. The lawyer then was Francisco Rodriquez, colored, of Tampa, who defended Johnston at the trial.

P. 3

Governor Johns signed a new death warrant two weeks ago after the Florida Supreme Court, for the second time, had declined to set aside the death sentence. Johnson, who was 16 years old at the time of the slaying, stabbed Porter with an ice pick, then took the officer's gun and shot him. The sheriff had arrested the youth at the high school at Ocala, for an alleged purchase of a white dinner jacket with a forged check.

Came From Home

The stabbing occurred when Johnson came out of his home, where the sheriff had sent him in to get the jacket. The youth picked up the ice pick after he got the coat and hid in on his person.

He is said to have used the weapon on Porter, when the sheriff abused him, struck him, and threatned him. After stabbing the sheriff, he grabbed the gun and shot Porter, Johnson testified.

Claim Self Defense

The boy claimed self defense at his trial. He said he killed the sheriff because he feared the officer was going to kill him.

Taking the latest legal steps to save Johnson from death in the electric chair is a civic group at Jacksonville headed by Z. D. Limbric, well known in civil liberties and civic affairs.

Ernest D. Jackson, recent Howard university law school graduate, has been retained as legal counsel.

13c 1953

GENERAL (LEGAL SENTENCE)

MORE THAN HALF ARE COLORED

83 Criminals Executed In Nation During 1952

WASHINGTON (NNPA) — Of a total of 83 persons executed in the United States under civil authority in 1952, 47 of them were colored, according to national prisoner statistics released by the Justice Department last Wednesday.

Afro-American P. 14

Except for 1950 when there were only 82, fewer persons were executed in 1952 for crimes punishable under civil law than in any of the years beginning with 1930 for which national data on executions have been collected.

Baltimore Md.

The 83 executions may be compared with an average of 143 a year for the years 1930 to 1951.

Of the 83 executions in 1952, 71 were for murder and 12 were for criminal attack. For murder, 36 colored persons and 35 white persons were executed, and for criminal attack, 11 colored persons were executed as compared with only one white person.

Under 35 Years Of Age

More than four-fifths of the colored persons executed, but less than half of the whites, were under 35 years of age. Two of the colored men executed were only 19 years of age, while 15 colored persons and only three whites were between 20 and 24.

In 1952 executions were carried out in 24 of the 44 jurisdictions (42 states, District of Columbia, and Federal jurisdiction), in which capital punishment may be imposed.

Four states accounted for 37 of the 83 executions. These were Georgia with 11. Texas with 10, California with nine, and South Carolina with seven.

Georgia Executes 11

Georgia executed eight colored men and three whites; Texas, six colored men and four whites; California, seven white men and two colored, and South Carolina, four colored men and three white men.

Sat. 4-18-53

From 1930 to 1950 a total of 3,219 prisoners had been executed by civil authorities. Of that number, almost an equal number of white and colored persons were executed for murder —1,386 whites and 1,381 colored.

Of the 366 prisoners executed for criminal attack, 328, or 89.7 per cent, were colored, 36 were whites, and two were Ameriacan Indnans. During the 23 years, only 24 women — were executed, all for murder.

Executions By States

Executions by states and race in 1952 were as follows:

Alabama: One white and three colored; Arkansas: two colored, one for criminal attack; District of Columbia, one colored and one white; Florida, two colored, one for criminal attack, and two white; Illinois, one white and three colored; Iowa, one white; Kansas, one white; Kentucky, two white and one colored.

Mississippi, one white and two colored; Missouri, one colored for criminal attack; Nebraska, one white; Nevada, one white; New Jersey, three whites and one colored; New York, two white and one colored; North Carolina, one colored; Ohio, one white and three colored; Oregon, one white; Pennsylvania, two colored; Virginia, one colored.

Bus Affray Is Reported By White Witness

BY GEORGE COLEMAN

When a Fulton County Coroner's jury seeks to determine the cause of death today of a 45-year-old Negro City prisoner who died last week at Grady of head injuries, it will be faced with the sworn statements of witnesses who declared the victim fell or was thrown from a local trolley earlier on the day of his arrest by a white motorman.

Atlanta, Ga

The jury will also question witnesses of the fifth floor of the city jail to determine if the man met his death from alleged beatings by a trustee and a white police officer.

The issue has apparently caused periods of unrest among city officials and brought a complaint from an aspirant for the office of mayor in the May 13 Primary, who said that approximately 10 prisoners have died in the jail in the last four years "under mysterious circumstances."

13-C

Police records indicated that James Fisher, 45, of R-1161 Ponce De Leon Avenue, N. E. was arrested at 2:40 P. M. April 6 on a drunk charge, carried to Grady from the jail at 6:40 A. M. April 7, and died at 2 P. M. April 8 without regaining consciousness.

TROLLEY OPERATOR

No mention was made of an incident with a trolley operator, although police said it was understood that an ice man and a trolley conductor had helped him into Patrol car 14, who reportedly took him to jail.

Tues. 4-14-53

After unconfirmed reports that Fisher may have died from excessive cruelty on the part of trustee L. C. Everhart, or Officer Michael Paz, the turn key of the fifth floor section of the jail, Dets. M. W. Blackwell and M. A. Johnson were assigned to investigate possibilities that death-causing blows might have been inflicted before the man was arrested.

NO EVIDENCE

Det. Supt. I. G. Cowan said that no evidence was uncovered to prove that Fisher died of blows received at the station, but that it was learned a second prisoner was involved in a fight with the trustee who worked on Paz's watch.

The prisoner, Anderson Davis, was reported in good condition at the city farm.

Police said their investigation revealed that Fisher was either thrown or fell from an Amsterdam trolley about 2:30 P. M. April 6 at the intersection of Boulevard and Boulevard Pl., N. E. and then arrested on a drunk charge.

The motorman, identified by police as G. W. Boatwright, 43, of 914 Allene Avenue, S. W., signed a statement that Fisher had entered the trolley in an intoxicated condition at Boulevard and Rankin Street, "staggered and fell against me and almost fell on a white lady and two children."

Boatwright, who was accompanied to the police station by an Atlanta Transit attorney, declared he told the man he was too drunk to ride and asked him to get off, but the man refused.

WHITE WOMAN

World

At the junction with Blvd. Pl. an elderly white woman got on and the motorman said. "I then got up and took hold of his arm and body and partially dragged and "helped' him to the door and to the bottom step".

The motorman said Fisher held the iron railing and "I prised his hands aloose from the iron rod and he fell out into a sitting position on the sidewalk and then fell back flat on his back. His head hit the sidewalk but it did not make any sound and his hat was not knocked off."

However, the white woman, who asked that her name be withheld declared that the motorman ordered Fisher to "Get out of here" just as she boarded the trolley. She said that Fisher then attempted to pay his fare but the driver declared he did not want it and then threw the victim from the bus. She declared she heard a "crack" when he landed outside and later saw blood running down his nose.

Tues 4-14-53

A. P. Burdett, a supervisor of the transit company, admitted to police that he had the passengers transferred to another trolley, instead of waiting until police arrived.

The white woman's statement agreed in part with that of an ice man who said he saw Fisher flung from the trolley as he drove behind it.

The ice man said, "I saw this man fall backward off the bus just as though he had been knocked off and his head hit a power pole."

The incident brought a fiery statement from Charlie Brown, who has been qualified to run for mayor in the May 13 City Primary. Mr. Brown declared that "during the last four years approximately 10 prisoners have died in the City Jail under mysterious circumstances and no effort has been made by the present City administration to correct same.

"The Trustee, L. C. Eberhart has practically boarded at the City Jail during the last four years at the expense of the taxpayers and I think the people of Atlanta should be told why this man has not served his time on the chain gang. Also, the people would like to know why this trustee has had access to bootleg whiskey stored at the City Jail. It was only a few months ago that the people of Atlanta were astounded to read that some of the trustees at the jail were sending whiskey to the City Prison Farm on the Police Patrol wagon.

"The mess on Decatur Street will never be cleaned up until the Atlanta Police Department is removed from politics and this can only be done by the creation of a Department of Public Safety with a competent director to supervise the activities of our Police Department."

Further Action Is Needed In This Case

Each man who holds his job as a public servant is automatically charged with decent treatment for all who face him in his official capacity, and when he abuses that right he is as guilty of a crime as the culprit who slinks in our city slums dodging police sleuths.

World P.4

Testimonies at a recent Coroner's hearing brought out sworn statements that declared that a trolley operator had thrown James Fisher, 45 year old Negro bodily from a trackless trolley.

From all testimonies it cannot be doubted that the man had been drinking, but at the same time it hardly justifies a man being thrown out on his head whereupon injuries are inflicted which cause his death.

Atlanta, Ga

The man had tried to pay his fare, and the witnesses testified that the motorman refused it. The city code cited, gave the motorman only the power to eject such persons as were not fit to ride, without using more force than necessary.

Is there ever a need for force which will result in death, unless one has committed a felony, or continuation of what he is doing will result in the mortal injury of someone else?

13-C Ga

Such was not the case here. The only evidence was that the man had whiskey on his breath. Even the operator admitted Fisher was not violent; that he was not harming anyone. And the white woman who said Fisher sat in her lap, declared that the motorman had practically flung him there in his brutal handling of a Negro passenger.

Fri. 4-17-53

This evidence should be sufficient for grave charges. And yet the five-man jury returned a unanimous verdict that the action was justified, and that the death was accidental.

We hope further action will be taken in this case

CITY PRISONER'S DEATH UNDER PROBE BY POLICE

World P.1 Atlanta, Ga. Fri. 4-24-53

Lovett Thomas Death Remains A Mystery

No new leads have been discovered to show how 41 year old Lovett Thomas, who died late Wednesday in an oxygen tent at Grady Hospital, met his death but police say they will continue their investigations until some light is shed on the mystery.

Meanwhile physicians were being alerted for a Post Mortem to learn officially what caused the 41 year old city prisoner's death.

Police apparently were faced with determining whether the man was injured in any of the following places:

1. Somewhere on Decatur Street during an hour a half period in which he was allegedly away from police survaliance.
2. By blows struck him by City Construction foreman who reportedly captured him at Decatur St. and Piedmont Ave., N. E.
3. Injured while a prisoner in the police station.
4. Or injured before he was arrested on April 4.

13-C Ga

Supt of Detectives I. G. Cowan said yesterday that Thomas did not have any external injuries and had lain in an apparent drunken stuper for hours in the station house before he was taken to Grady. He was sent to the hospital by Ptl. Marshal Paz who also sent James Fisher, a 45 year old prisoner who died last week of a fractured skull, to the hospital from the jail.

Cowan said Thomas was given a shot to sober him up in the hospital and not operated upon until the next morning when it was learned he had still failed to regain consciousness.

Thomas died without regaining consciousness in an oxygen tent after a blood clot was removed from the region of the skull fracture. Grady doctors said he had definitely received some type of head injury.

Fri. 4-24-53

The man was serving a prison term and was out with a construction gang the day he is believed to have been injured. He reportedly escaped from the group and was later found on Decatur Street by the foreman who said he struck him on the back of the neck after the prisoner refused to go back to jail.

Lovett Young Succumbs At Grady Clinic

13 — Ga

Fractured Skull, Pneumonia Factors In Man's Death

Lovett Young, 41, died at Grady Hospital late Wednesday afternoon while Police were probing circumstances of his injuries which were reportedly listed as a fractured skull and pneumonia. He was working on a city construction gang at the time of his injury after being fined on a drunk charge.

Young had lingered in an unconscious condition at Grady Hospital.

World

P1

The Police Department is now seeking the whereabouts of his family and close relatives.

The 41-year-old man who was working out a fine on a drunk charge was in a oxygen tent at Grady in an unconscious condition Wednesday had been given very slim chance for recovery, while police attempted to find out where and who struck him the crucial blow.

Atlanta, Ga.

Thomas, 41, address was tentatively listed as R-440 Washington St., S. W. but police said that they have been unable to establish definite proof that he lives at the address nor locate any relatives.

It was the second case of a city prisoner receiving a fractured skull while in custody in the past two weeks. Forty-five year old James Fisher died recently at Grady of a fractured skull. Police unveiled evidence that he sustained the blow when he was thrown from a trolley. However, a Coroner's jury exonerated the operator of all blame and ruled the death accidental after they were read a City Code which authorizes conductors to remove intoxicated persons from street cars.

Thurs 4-23-53

Police Chief Herbert T. Jenkins made the disclosure of Thomas' condition Wednesday and said that "every effort" is being made to determine how the injury was sustained.

A Grady spokesman said that a blood clot was removed from Thomas' head Tuesday night, which had "definitely" been caused "by a head injury." His condition had been listed as "very critical."

Thomas was also suffering from pneumonia, Grady officials said, a condition probably set in while the man's system was saturated with alcohol.

Little was known as to how Thomas got the head injury, other than a white City construction foreman admitted slapping him when he escaped from the construction gang while they were paving a street.

World

Police records show that Thomas was arrested April 4 on a charge of being intoxicated. He was tried in Municipal Court April 6 and fined $14 or 20 days in prison. An additional charge of failing to abide by the sentence was imposed on him the same day for which he drew a second fine of $14 or 20 days.

Thurs

Thomas was then sent to the City Dairy farm, and later assigned to work on city streets.

4-23-53

Police records show that City Construction foreman Sam J. Smith Jr., 36, of 1060 Hill Street, S. E., brought Thomas to the City Jail at 3:50 p. m. April 20 in what was described as a very "drunken condition." He was placed in the city jail once more on a charge of being intoxicated and failing to abide by the sentence of the court.

At 11 p. m. he was found in an unconscious condition and taken to Grady Hospital where it was discovered he had a fractured skull. Ptl. J. F. Johnson said that Thomas was staggering when he was brought into the station house but was able to "give me his name and address." The officer added Thomas did not have "any obvious cuts or bruises" on him.

Checking possible leads, police talked to the foreman of the construction gang, Sam J. Smith, Jr Smith told police that he picked up eight prisoners at 8:30 a. m April 20 and laid down asphalt on several city streets.

Later, while working College Avenue, N. E. Smith said he noticed that Thomas had become intoxicated and sent him back to the jail in a truck. The truck driver returned and said Thomas jumped off the truck at Bell and Decatur Streets, and refused to get back on.

"After he told me what happened I came back up Decatur Street with the other prisoners," Smith declared and saw Thomas at Piedmont Avenue, and Decatur St.

Smith told police, "I got off the truck and run up behind him and grabbed him in the belt and when he refused to go with me I slapped him one time across the back of the neck with my open hand.

Police said they were looking for other possibilities of blows having been struck Thomas which could have resulted in a fractured skull. Records showed that Thomas has been arrested by police 54 times in the past five years.

House Dynamited In Disputed Area Here

Cairo Street House Blasted; Arsonists Burn Fourth House

13 C Ga

Unidentified arsonists, who set off dynamite in the rear of a house Sunday which had been recently repaired after being burned twice a few weeks ago, are apparently better organized than previously believed, police said Monday afternoon.

The flareup Sunday night saw two vacant houses in the disputed Cairo Street area attacked, and three other dwellings, still occupied by white residents, damaged by the two arson invasions.

A loud explosion ripped through the back porch of 572 Cairo St., N. W., at 9:05 p. m. Sunday. The same house was the first to be burned in the area on April 1 in an apparent protest over a white resident selling his home to a Negro real estate firm. The dwelling was then burned a second time 24 hours later. Police said that the culprits attacked the back porch of the house each time.

World

P1

EMPTY CAN

The fourth house to suffer the arsonic torch, was a dwelling at 656 Simmons Street, N. W. Flames broke out in the rear of the house at 9:03 p. m. Sunday. Police said they found an empty can in the damaged section which had contained either gasoline or kerosene

Detective Sergeant J. L. Moseley, who said he spent the major portion of Monday investigating the latest flareups, asserted that the Sunday flareups might indicate a particular pattern in the burnings. The house at 572 Cairo Street, N. W., after being burned twice, had been repaired. The dynamite was set off just after repairs were completed and in practically the same area which was previously damaged, he said.

Atlanta Ga.

Tues 4-28-53

This started speculation that the arsonists may be getting help from relatives or friends in distant towns who are opposed to Negroes living in white neighborhoods.

DYNAMITE BUYER

Moseley pointed out that gasoline could be purchased easily, but a dynamite buyer would have to register with the County Ordinary.

Police Superintendent J. E. Brown said he discovered four unexploded sticks of dynamite lying on the dirt covered back porch. He had them made harmless shortly afterwards.

Four houses have been damaged to date in the area, but there have been six instances of violence.

Other damaged houses are: 135 Simmons Street,, N. W., which was burned about 2:24 a. m. April 3 and 645 Simmons Street, N. W., which was burned April 5. In each of these cases partially filled gasoline containers were found in the vacated dwellings.

13c 1953

Georgia

Defense Witness Testifies At Torrence Murder Trial

BY GEORGE COLEMAN

The first witness for the defense in the January 19 sewer slaying of Mrs. Rose B. Torrence, was called yesterday afternoon to testify as a character witness for 45-year-old Major Bailey as the trial lasted through its third straight day.

The defense gots its first opportunity to present a witness after Detective J. W. Ellington spent an additional three hours on the witness stand under fire from defense attorney Reuben A. Garland who said he was attempting to prove a "confession" made by Bailey was invalid.

World

Ellington spent nearly seven hours under cross examination on Tuesday, and Wednesday morning's re-calling of the policeman brought a charge from Solicitor Jeff Tanksley that the defense was dragging out the trial.

P.1

DEFENSE WITNESS

The defense witness was C. J Matthews who said he was the foreman of the cement finishing department of the Jones Construction Company for which Bailey worked until he was arrested on suspicion of slaying Mrs. Torrence

Atlanta, Ga.

Matthews told the court that Bailey was working on a job at the Pryor Road housing project the day Mrs. Torrence was reportedly dumped into a sewer.

Thurs

REPORTED FOR WORK

He said that Bailey reported for work at 8 a. m. and got off at 4:30 p. m. but probably did not leave the project until a quarter to five, because he had to clean up first. Matthews said that Bailey came to work the next morning at 7:30 a. m., but did not work that day. The conversation with the defendant was not allowed in the court. The state had alleged that the slaying probably occurred about 6:30 p. m.

5-14-53

However, the witness denied that Bailey had appeared nervous or worried the next morning. He said that Bailey had worked for the company since 1941 and had never failed to show up for work. He also testified that Bailey had a good reputation.

STATE'S WITNESS

The testimony of the defense witness followed the declaration of a state's witness that he saw Mrs Torrence on Bakers Ferry Road near where she was reportedly slain, shortly after 6:15 p. m. "just hollering and screaming for us to stop."

The sworn statement was made by John King, a produce peddler who said he lived on Bakers Ferry Road. King told the court that he was riding home with a man identified as Bishop, also a state's witness, when he saw a woman running from an old abandoned house to a car parked on the dirt road.

"ON A PARTY"

He said the woman was of fair complexion, about the same size as his three daughters. King declared he thought it was his daughter and ordered Bishop to slow down. However, he added, Bishop said it was "just some colored folks on a party," and they drove on. King said he continued to hear the woman scream after he reached his house.

World

5-14-53

King said that he know Mrs Torrence by sight, because he had sold her watermelons and grapes at her home on Ashby Street, in the past. He said he did not see Bailey at the scene.

SERIES OF STATEMENTS

The state then brought out an alleged series of statements made by Bailey after the "confession" was made. King told the court that he was sitting at a table in police headquarters with Ellington, Det H. E. Burdett and Bishop, when Ellington asked Bailey how he felt, to which Bailey allegedly answered, "I feel a whole lot better."

King said Ellington then asked the defendant if he looked into the sewer after he threw Mrs. Torrence in, to which he declared Bailey answered, "No, I turned and walked away."

The state's witness added that Bailey then pleaded, "Boys, be easy with me. Don't be hard."

Torrence Murder Case To Be Retried With New Jury Panel

At twenty minutes before midnight last night, the case of the state versus Major Bailey was declared a mistrial by trial Judge Ralph Pharr. The jury had deliberated in the jury room since 5:15 P. M. Saturday and earlier showed signs of being hopelessly deadlocked.

This development will necessitate the qualification of a new jury panel and the re-conduct of the trial. No dates have been set. With Bailey until the mistrial decision was Attorney Anthony Alaimo, who is associated with Attorney Reubin Garland in Bailey's defense. A handful of spectators remained from the earlier overflow crowds to hear the verdict.

World

P.11

Bailey was charged with murder in connection with the January 19 slaying of Mrs. Rosa B. Torrence, cosmetics manufacturer, whose crushed body was found in a sewer at Utoy disposal plant.

The 45-year-old defendant took the witness stand Friday and in his unsworn statement told the jury he had no knowledge of how Mrs. Torrence was slain and that he signed the alleged "confession" on orders from the investigating officers.

Sun

5-17-53

Referring specifically to the "confession," Bailey quoted one of the officers as saying: "if you want to get out of here, you sign this." Earlier he had denied practically every single contention of the prosecution and emphasized that statement in the "confession" concerning his alleged relations with Mrs. Torrence were untrue.

TRIAL OPENED MONDAY

The week-long trial opened Monday with the state demanding the electric chair for the defendant. The prosecution was conducted by Assistant Solicitor Carl Copeland and Jeff Tanksley, who introduced the alleged "confession" into evidence.

Defense Attorneys Reuben Garland and Anthony Alaimo contended there was force from the defendant by police.

This was Bailey's second trial, the first having ended in a mistrial after Defense Attorney Garland revealed that one of the jurors had spoken to an official in the case.

P.1

"CONFESSION" HIT

Bailey stated earlier this week that before signing the confession, he did not know the importance of the paper. He stated that he had affixed his signature after the insistence of the investigating officers and only after he signed, was it read to him.

Atlanta, Ga.

He further denied directing the officers to the scene of the crime but said that they took him there and pointed out various spots which he had supposedly visited.

Saying that there was no truth in the allegation that there "was something between" him and Mrs. Torrence, he also repudiated that statement that he had been giving money to Mrs. Torrence.

During the trial, several defense witnesses testified favorably concerning Bailey's character. He also said that he and Mrs. Torrence's husband were "on the best of terms" and that only after the police talked with Torrence was their relationship altered.

Youth Booked After Mysterious Slaying On Walton County Farm

Woman Stabbed To Death; Police Report Confession

13c Ga

MONROE, Ga. — (SNS) — Paul Wright, an 18-year-old Walton County youth, is being held in an undisclosed jail in connection with the fatal stabbing of Mrs. Sara Belle Daniel. Wright's arrest came in Atlanta after hours of grilling by Walton and Georgia Bureau of Investigation authorities.

The arrest of Wright has stirred speculation as to what actually happened in the lonely farm house where the white woman was struck down by an assailant.

The youth lived with his mother and two brothers on the Daniel farm located in the Ebenezer Church Community. He was arrested by C. J. (Doc) Sorrells and Lewis Howard, who worked in connection with Dr. Herman Jones of the GBI.

World

The woman was found stabbed to death at her home by neighbors two weeks ago with whom she rode to work. Cause of death was ascribed to stabbing.

P.1

BIZARRE CONFESSION

In a bizarre confession, Wright allegedly admitted stabbing the woman three times with a butcher knife when she came upon him unexpectedly in the dining room of the Daniel home. Wright reportedly told officers that he stabbed the victim three times.

13c

He said he entered the house to get something to eat after seeing the Daniel's 16-year-old son, Glenn leave on the bus for school. Wright is said to have stated, he never would have entered the house had he known Mrs. Daniel was still there.

Ga.
Mon.
5-5-53

In the reported confession, Wright said he reported for work in a nearby field to burn brush. He went toward the house according to arresting officers for the purpose of finding a shovel.

Atlanta, Ga.

When arresting officers grilled Wright, he said he got the shovel and returned to the field where the others were at work among them his brothers, D. C. and J. W., who corroborated the statement.

LIE DECTECTOR

According to police their statement was later disproven when they underwent a lie detector test.

Police stated these tests convinced them that Wright never returned to the field, a factor which is believed to have broken the case. Unable to explain his whereabouts at the time of the woman's death, Wright is said to have broken down and confessed.

Walton authorities originally arrested Bart Bacchus, who was held in jail several days then released.

One strange angle in the case was the fact no weapon was found beside the body. The sheriff's office contends that Negro women washed the knife and put it away.

The women are reported to have freely admitted this when questioned by officers.

Wright is awaiting action by the Walton County Grand Jury but the strange circumstances surrounding the case has stirred interest and speculation.

Attorney Takes Stand At Bailey Murder Hearing

Fifth Session Of Torrence Trial Scheduled Today

World

13c

In a stormy hearing Thursday, the fourth day of the murder trial of Major Bailey, Attorney Reuben Garland attempted to impeach a white witness for the defense who he claimed had "entrapped" him by making a last minute change in her testimony.

P.1 Ga.

The woman was identified by the court as Mrs. Lilly Cain, of East Point. Later, Judge Ralph Pharr ordered the court sheriff to find Mrs. Cain and instruct her that an attachment would be issued for her arrest if she failed to show up in court Friday morning.

The attempt at impeachment occurred during the presentation of the defense's case, which followed three days of evidence by the state, conducted by Jeff Tanksley and Carl Copeland.

Atlanta

TIME OF SLAYING

Ga.

Garland, stating that the prosecution had set the approximate time of the sewer slaying as about 6:30 p. m., January 19, had claimed he would produce witnesses to show that it was impossible for Bailey to have been on Willis Mill Road at that time, although the testimonies of a state's witness had identified Bailey's auto as being one he saw on Bakers Ferry Road.

Fri.
5-15-53

Garland called Mrs. Cain to the witness stand after several character witnesses testified that Bailey was of good character. Mrs. Cain said she was employed at the Atlanta Paper Company, and that Mrs. Torrence had worked for her about two years.

TELEPHONE CALL

Garland asked her if she called the Torrence home the evening of January 19, a Monday, and the day identified as the date Mrs Torrence was slain.

Mrs. Cain replied that she had not, but that she called the house the next evening and Bailey answered. Garland claimed he was entrapped by the witness and told Judge Pharr that Mrs. Cain had twice revealed that she called the Torrence home both January 19 and January 20 to get the dead woman to do some work for her.

Mrs. Cain denied this and while admitting that she had first said she called the house on Monday, added "I talked it over with my husband and he convinced me," that she had been mistaken.

Garland asked her if her husband was at home when she made the call, to which she answered, "No."

GARLAND TESTIFIES

Garland then took the stand himself and declared under oath that the woman told the defense counsel twice that she called the Torrence home January 19, and the phone was answered by Bailey who said Mrs. Torrence had gone to town. He said the woman further stated that she called the house the next morning and Bailey was crying, saying he was unable to locate Mrs. Torrence who had failed to return home.

The attorney told the court that Mrs. Cain first set the time of the first call between 5:30 and 6 p. m., but changed it to 5 p. m. when they talked Wednesday, declaring that Detective J. W. Ellington had shown her a "piece of paper" saying the time of the call was 5 p. m. and "I can't dispute a policeman's word."

DENIES CHANGE

Mrs. Cain denied the change because of talking to the officer. She said she talked to him only during the police investigation in January and added to Garland, "If you havent seen me taking to him you can't prove I have."

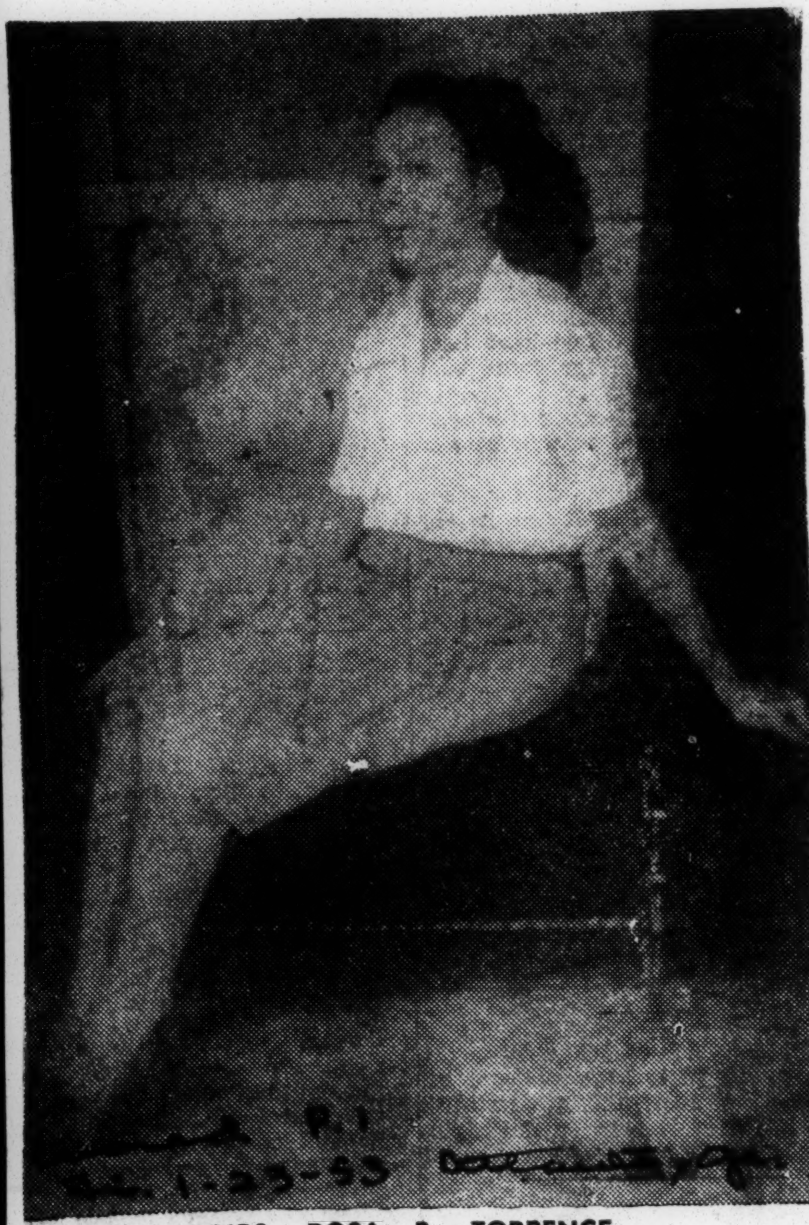
Another defense witness, Mrs. Ida Minter, 37, of 1011 McDaniel Street, S. W., testified that Bailey passed her in his auto January 19 about 5:30 p. m. or 4:45 p. m. and gave her a lift to her home.

Jessie Thomas Bowen, white office manager of the Southeast division of the J. A. Jones Construction Company, where Bailey worker testified that Bailey worked that day from 8 a. m. until 4:30 p. m.

A payroll record of January 19 was introduced in evidence to substantiate this. However, Solicitor Jeff Tanksley pointed out that Bowen was actually at his office on Ellis Street, while Bailey was supposed to be at work on Pryor Road. Bowen, admitted he had never actually seen Bailey, but added if Bailey had left work early the records would show it because the men were paid by the hour.

Three other witnesses, Mrs. Lois Hopkins, of a Griffin Street address, Mrs. Wilie Mae Florence, 83 Stafford Street, and Mrs. Gertrude Britton, 333 Ashby Street, S. W., all testified they called the Torrence home January 19 in the vicinity of 5 p. m. and heard Bailey answer the phone. Each one quoted him as saying Mrs. Torrence had gone to town.

Two other witnesses, both tenants of downstairs apartments, said they saw Bailey's auto parked in the yard after 7 p. m. One of them said she saw him come into the house a short time before.



MRS. ROSA B. TORRENCE
...... her death still a mystery

Body Of Mrs. Torrence To Lie In State At Her Home

13c

BY GEORGE COLEMAN

Homicide detectives, digging deeper into the sewer slaying of Mrs. Rosa Torrence, were faced yesterday with many puzzling and scanty clues from unidentified sources and found themselves hardly a step closer to the killer of the attractive housewife and business woman.

Detectives H. E. Burdette and J. W. Ellington, meanwhile, said they released Major Bailey, tenant in the Torrence home, after they were unable to connect him to the slaying.

The officers declared they had exhausted every lead "we've come across since we found the body."

Police said they have interviewed several people who were known to have had dealings with Mrs. Torrence, but were unable to discover a tangible motive at the present.

But they said they were working on new leads into the fourth slaying of the year, which were not made [illegible]

1-23-53

OBJECT OF PROBE

The search thus far has been centered about two main objects:

1. To learn the identity or identies of the person or persons who had rea[illegible] attractive woman who dealt in rentals and distributing her own beauty products.

2. To find a motive or motives which incited the slayer or slayers of the woman who had no identified enemies. Possible motives have been listed as, robbery, revenge and sudden anger.

A local real estate dealer revealed Thursday that Mrs. Torrence had posted "earnest money" recently to purchase a home on Forrest Road, in a predominatly white neighborhood, where Negroes are beginning to move.

Records show that she witnessed strife when she moved into a predominatly white neighborhood three years ago at 369 Ashby St, S. W. Her home was dynamited March 5, 1949 and later re-built.

Mrs. Torrence's 19 year old daughter, Willena, arrived in Atlanta late Wednesday. She immediately moved to make preparations for her mother's funeral which will be held Saturday, 2 p. m. at Liberty Baptist Church.

"You just don't think things like this happen," Miss Torrence said.

ROBBERY MOTIVE

The possibility of a robbery motive sprang to life when the musician daughter explained that police had recovered all of her mother's effects except her pocket book. It was unknown however, whether she was carrying much cash. Police said three yellow gold rings had not been removed from her hand when her body was discovered.

Miss Torrence related, "I know she had been down town." She thought it had something to do with a real estate deal, but didn't know the details.

Domestic trouble was ruled out tentatively after the husband, Willie Torrence, testified that he and his wife had not been separated since their marriage in 1922.

NO ENEMIES

Miss Torrence said her mother had no known enemies, but added, "she knew lots of people."

It was learned that Mrs. Torrence owned two additional apartment houses on the southwest section of the city. She was also in the hair products business with three creations of her own, sold under her own name.

Asked if white neighbors had made it difficult for her recently, Miss Torrence declared, "We've had so much trouble since we've been here"

She said the city buffer project for whites was to be constructed in the area where they now live.

DIDN'T WANT TO SELL

"She didn't want to give up the place," she added.

Mrs. Torrence's body will be viewed at the home on Ashby St., S. W. today after its arrival from Cox Brothers Funeral Home at 5 p. m. Burial will be at Lincoln Memorial Cemetery.

Meanwhile, Mrs. Torrence's sister, Mrs. Nell McKelvin of San Francisco, California, was notified of her sisaer's death ugd-f9 mm of her sister's death. A brother, James Bradley, of Pueblo, Colorado, was also notified. Other survivors are her husband, Willie Torrence; an aunt, Mrs. Annia Bell Nickers, and a brother, Wayne Bradley, whose location is not known.

Miss Torrence said she has been exempted from examinations at Fisk University, and will remain in Atlanta until sometime in February.

Commutation Of Death Term Is Aired By Board

R1

FORSYTH, Ga. — (INS) — Members of the Georgia Pardo and Parole Board, verball spanked by Gov. Herman Ta madge, appeared for lengthy sessions with the Monroe County Grand Jury Tuesday.

The grand jury, in an action described as "unusual" called the board members in its probe of last week's commutation of the death sentence of William Ogletree, a Negro Korean War veteran. The board's action prevented Ogletree's scheduled execution last Friday for the slaying of a white service station operator.

2-4-53

The grand jury kept each parole board member approyimately one hour this after
one hour Tuesday afternoon, but neither the grand jury or the questioned state officials made any statement concerning the meeting.

The grand jury also heard testimony of Bill Watkins, father-in law of Solicitor Ben Garland, on whose recommendation the parole board granted its commutation. There was no explanation of Watkins' connection with the probe.

Hugh D. Sosebee, county attorney who was associated with the state in the Ogletree prosecution, said the grand jury has excused the parole board members but will meet to continue its investigation this afternoon at 2 p. m.

Garland, in recommending commutation of Ogletree's sentence, told the parole board he was now convinced the man did not have a fair trial.

Gov. Talmadge declared that in his opinion the board "made a mistake" in commuting the sentence. He said:

"If I had been a member of board, I would not have taken action they did. At the same t I can understand how they w be influenced by the recommen tion of Solicitor Garland. opinion of such a public offi carries great weight."

Garland himself did not app before the grand jury. He was ported ill at home with the flu.

2-4-53

2 Booked After Witness Vanishes

World P.1

Atlanta, Ga.

Police Believe Sawmill Worker, Missing Since March 14, Is Dead

Times. 3-26-53

McRAE, Ga. — (SNS) — State Revenue agents and Georgia Bureau of Investigation officials are searching for a 45-year-old Negro material witness to a bootlegging trial who is believed to have been kidnapped by three white men and possibly slain to prevent him from testifying.

Telfair County Deputy Sheriff Leroy Clement said Wednesday that no trace has been discovered of either the Negro witness or the white man, both of whom failed to show up for the trial March 7.

A G. B. I. spokesman said a general lookout has been placed for Claude Hudson. 45, of the Jones Community, Jacksonville, Ga., in Telfair County. The Negro sawmill worker was last seen about 10:30 p. m. March 14 being forced into an auto in Jacksonville allegedly belonging to Earl Bland, a white farmer and brother-in-law of the bootlegger suspect.

Since then Hudson's wife, Mrs. Leona Hudson, has sworn out warrants against the white men charging them with kidnapping. Police said they have combed two counties for him. but he has "disappeared."

State Revenue Agents Virgil Walker and A. L. Hartsfield have been quietly working on the case since its origin on February 20, when Edgar Berch, 45-50, was arrested in Abbeville on bootlegging charges.

Twenty one cases of what was termed as "out of state" liquor, and a 1952 sedan were seized in the arrest from Berch. The seized whiskey was bonded spirits with a fake Georgia tax stamp.

Police acting on information that Hudson was with Berch had been indicted by the Wilcox County Grand Jury February 23. Both men posted bonds, Berch $1,500 and Hudson $750.

Trial date was set as Mar.. 7, but when neither man appeared, Judge Wendell Horne immediate issued an attachment (bench warrant) for Berch's arrest, but neither man has been seen since.

Later the G. B. I. learned that Hudson was ~~snatched from a~~ barbecue party by three white men, and fought but was subdued and taken away under force. Foul play was suspected.

Two of the white men have been arrested. however. They were listed as Earl Bland, 50, and Jessie Smith, 45-50, both of Jacksonville. Bland, whose car was identified as the kidnap auto is Berch's brother-in-law. Smith was listed as Bland's neighbor. Both are farmers in Telfair County.

It was believed that the Federal Bureau of Investigation may be called into the case, because kidnapping is a federal offense.

'Confession' Hit As Bailey Trial Opens

13 - Ga

Cement Finisher Accused Of Slaying Mrs. Rosa Torrence

BY GEORGE COLEMAN

Major Bailey, 45-year-old cement finisher, who is charged with the January 19 sewer slaying of Mrs. Rosa Bradley Torrence popular Atlanta business woman, went on trial for his life yesterday afternoon, with the defense counsel charging that a written confession, key evidence against him, was secured on a set of circumstances "that didn't exist."

During a stormy afternoon hearing, in which only two witnesses were called, police revealed for the first time in the case that Bailey was actually arrested twice on suspicion of the slaying; the first time the same night Mrs. Torrence's bruised and battered body was identified.

P.1

A third revelation came when Dr Herman D. Jones, Director of the State Crime Laboratory and Detective J. W. Ellington, related that the signed confession, which police said was given freely and voluntary, was obtained at the Georgia Bureau of Investigation office of the State Patrol and not at Atlanta police headquarters.

Atlanta, Ga.

W.D. 4-8-53

Attorney Reuben A. Garland, representing Bailey in defense of his life, told the court at the beginning of the trial that the defense sought to prove that police had secured the confession by holding out hope for reward to the defendant.

SURPRISE ELEMENT

A fourth element of surprise came when the state revealed through questioning the two witnesses that Bailey was identified by two white residents of the Willis Mill Road section as a man who was seen with a woman in the almost non-populated area the day Mrs. Torrence was allegedly slain.

Police activities in breaking the case were revealed by Ellington upon questioning as a state witness and under more than an hour's cross examination by Garland who declared to Judge E. E. Andrews that he questioned police conduct in securing the confession.

Ellington told the court of investigating the case after Mrs. Torrence was found in the gravel tube at the Utoy Disposal Plant on Bakers Ferry Road. He asserted that they discovered the sewer she was thrown into and a shoe, was found lying a few feet from the sewer less than two hours after the discovery.

Ellington said Bailey came to Hanley's Funeral Home with Mrs. Torrence's husband, Willie Torrence, about 8 P. M. the same night after the woman was identified. He was then taken to police headquarters and booked on suspicion of murder but released two days later after he offered several alibies. The statements were then checked, Ellington said.

CROSS EXAMINATION

Under cross examination by Garland, Ellington said that he and Detective H. E. Burdett, picked up "King", and the disposal plant manager, and went to the Torrence home on February 15 where they secured a picture of Mrs. Torrence from Bailey and then went to the home of a white man, who, they said had asserted he could identify the man he had seen, but not the woman.

World

On February 16, Ellington said he saw Bailey on Decatur Street and placed him under arrest, went to his home and seized his auto, and then brought Bishop to the station to identify both. Bailey, he said was identified in a lineup of four men. The car was also identified, he said.

CONFESSION OBTAINED

Dr. Jones said he saw Bailey on January 20, at Georgia Bureau of Investigation headquarters, at which time he made an oral confession of the slaying, which he said was made "freely and voluntary." Ellington said the confession was then dictated to a secretary and notorized before leaving the state patrol office.

Dr. Jones testified that death was due to "blows to the head" causing damage to the brain. He said that two separate hemorrhages were found on the brain and a small fracture inside the skull lining.

The crime expert also testified that tests indicated that Mrs. Torrence was dead before being thrown into the sewer, because no water or debris was found in the lungs. He said that the leg had suffered a single break, and the left leg a series of fractures. However, these injuries failed to show much bleeding, indicating they were inflicted after she was dead.

Ellington told the court that after the confession Bailey took them on a tour of the route he and Mrs. Torrence had travelled the day she was killed, and showed them the place she was thrown into the sewer.

The state said Bailey admitted that he had given Mrs. Torrence all of his earnings of between $85 and $90 per week for 14 years, during which time he had lived in the same house.

The state also alleged that Bailey was a joint owner in the Torrence property and that the auto was half owned by Mrs. Torrence. However, the defense held that Bailey owned none of the Torrence property and would be able to prove he was at work the day Mrs. Torrence was slain.

44-Year-Old Man Becomes 53rd Victim

World
Atlanta, Ga.
Sun. 9-27-53

A 44-year-old man, who was stabbed in the back in the kitchen of his home early Saturday, died in the Grady Hospital Emergency Clinic, a few hours later becoming the 53rd homicide victim of the year, police reported yesterday. P.1

Johnnie Johnson, 44, of 282 Forrest Ave., N. E., died at approximately 2:05 a. m., Radio Patrolmen I. M. Bagwell and D. H. Riley reported.

13c

Lawrence Kelley, 46, of the same address, was being held on suspicion of murder, police said. He had been arrested minutes after the stabbing on suspicion of assault.

NOTE: Homicides for 1953 in Atlanta now total 53 against a background of 74 for the same period in 1952. September slayings were 12 in 1952 and number nine so far for 1953. However, seven of these slayings have taken place in the past seven days in Atlanta.

Police said they first took Kelley to Grady for Johnson to identify as his assailant after Mrs. Annie Kelley related her husband had stabbed the victim.

However, upon arriving at the hospital they learned Johnson had died. As they entered the emergncy clinic, the officers said, John Flynn, who also lived at 282 Forrest Ave., N. E., told Kelley, "The boy you cut is dead."

Then Flynn related the following, police said. He chased Kelley into the kitchen where the stabbing took place, and later ran him out with a hatchet, and then took the wounded man to the hospital.

Returning to the scene, police quoted Mrs. Kelley as saying her husband accused her of going out with Johnson, and Johnson attempted to halt a possible assault by the enraged husband.

Hold Woman Who Accuses Negro Holdup Man Of Escort's Death

World Fri. 11-6-53
Atlanta, Ga.

A 23-year-old white widow was being held yesterday as a material witness to the bludgeon slaying of her male compansion after her declaration that a Negro fisherman broke up thei rautomobile conversation in a wooded section off Jonesboro Road, committing rape, robbery and murder, was discovered to hold several conflicts, Homicide Squad detectives reported Thursday.

Detectives admitted they had only the word of the woman witness that a Negro inflicted four wounds on the skull of Marvin Luther Lindsey, 24, of 520 Poole Creek Rd., and no substantial evidence that rape or robbery had been perpetrated.

13c

However, Detective Superintendent L. G. Cowan said a search would be continued in the murder area for a Negro suspect answering the description the woman had given them.

Lindsey was pronounced dead on arrival early Thursday at Grady Hospital, where his brother John, had taken him. A pool of blood was later discovered about 700 feet off Jonesboro Road, just south of South River Bridge in the area commonly known as Constitution Lakes.

MOTIVE LISTED

A police report signed by Det. Lieut L. T. Bullard, H. F. Brown and W. E. Petty listed the motive as robbery and rape. The weapon was temporarily described as a blunt instrument. The dead man had four deep head wounds, police reported. P.1

Lindsey's body was discovered lying on the floor of the front seat of the auto, and police said they could not understand how the woman had managed to drive the car with him lying in this position.

Police quoted the woman as saying she met Lindsey after he got off from work and accompanied him to the death scene about 11 p. m., after they purchased a half pint of whiskey. She told police they had been parked for about five minutes when a "dark skinned" Negro opened her door and struck her in the face with his fist. She said he then walked around to the other side of the auto and beat her white companion and took his wallet.

SAYS MAN RETURNED

She was further quoted as saying the man left, but returned about 20 minutes later, dragged her to the side of the road and criminally assaulted her. He also robbed of her $35, she said. However, police said, they found three dollars in her pocket book.

"She told several conflicting stories as to what happened," police reported. They quoted her as saying she had not driven an auto for a long time, and asked the stranger to start the vehicle for her.

Fri. 11-6-53

"She said one time he did help her get it started, and then said he refused to get it started," the report said.

13c

Police said they took her to Grady where a physical examination failed to revealed any evidence of assault. The officers said they then visited the dead man's relatives and reported his sister-in-law drove up to her home and asked for help, declaring Linsey was out in the auto bleeding to death.

Ga.

Mrs. Lindsey quoted the woman as saying, "I know you all think I did this, but a Negro man did it."

The woman told police she last saw the suspect wearing a hat with a "funny crown," as he left carrying a fishing cane on his shoulde The officers also reported th found a notebook about 100 feet o Jonesboro Road which belonged the woman, but she was unable explain how it got there.

Police said the woman's husban was killed about six months ago a nauto accident.

Unanimous House Vote Kills Garland Impeachment

World P.1 13c Ga.
Sat. 12-5-53

A resounding "No!" was given Thursday to Monroe County forces petitioinng to impeach Flint County Solicitor Ben Garland through the Georgia House of Representatives ostensibly because of the role the solicitor played in securing a commutation of a death sentence assessed against a Negro prisoner.

While other causes were presented by Monroe officials as reasons why they wanted the solicitor impeached, the part Mr. Garland played in having a commutation granted William Ogletree, Forsyth veteran of the Korean War, initiated the action.

Specifically, the Monroe County Grand Jury, meeting in October asked that Solicitor Garland be impeached as "unstable and unfit" charging:

That after prosecuting Ogletree for the fatal shooting of William Bell, a white Forsyth textile worker, Garland successfully asked the Parole Board that Ogletree's death sentence be commuted to life.

Atlanta, Ga.

That Garland failed to offer a brief of evidence in a case against James Evans and aided Evans in getting a lesser penalty from Judge Frank B. Willingham.

That Garland "quietly aided Henry Head and Johnny Greer in getting a lesser penalty on conviction of making liquor."

LAW NOT VIOLATED

In ruling on the request, however, the special House Committee contended that Solicitor Garland had done nothing—in its belief—that constituted a violation so flagrant as to necessitate impeachment.

None of the three sections of the State code dealing with statutory offenses had been violated, the committee ruled, nor was there any evidence on common-law grounds introduced to justify impeachment.

World
Sat. 12-5-53

The committee intimated that the forces seeking the impeachment failed to bring before it anything that was "substantial."

The decision was unanimous.

Members of the committee signing the report were: William B. Gunter of Hall, Julian C. Sipple of Chatham, John C. Bell of Richmond, Braswell Deen, Jr., of Bacon, John W. Greer of Lanier, Henry A. Moses of Montgomery, A. Mell Turner of DeKalb, F Everett Williams of Bulloch and J. Mercer Wooten of Randolph.

Fulton Rep. Hamilton Lokey was chairman of the committee.

13c 1953 Georgia

Grand Jury Accuses Major Bailey In Two-Count Bill

BY GEORGE COLEMAN

Major Bailey, 45-year-old murder suspect, was indicted yesterday and formally charged with the January 19 sewer slaying of Mrs. Rosie Torrence, Atlanta business woman, and maker of hair preparations.

The true bill returned against Bailey, charged him with 2 counts of murder, one count charged him with inflicting fatal blows before she was dumped into the sewer on Willis Mill Road, and the other charges that death resulted from her fall into the sewer line as well as blows inflicted upon her before she entered the sewer.

The first count reads in part that Bailey "did unlawfully, with malice afterthought, kill and murder one Rosie Torrence by then and there striking and beating her with some instrument to the Grand Jurors unknown, and inflicting upon her mortal wounds from which she died."

The second count charges that Bailey killed Mrs. Torrence by "striking and beating her with his hands and fists and by striking and beating her with some instrument to the Grand Jurors unknown, thereby knocking the said Rosie Torrence onto and against objects to the Grand jury unknown. and by picking the said Rosie Torrence up and dropping her through a sewer opening into a sewer line, thereby inflicting upon the said Rosie Torrence mortal wounds from which she died.'

MOTIVE TOLD

Homicide Detectives H. E. Burdett and J. W. Ellington quoted Bailey as saying the slaying grew out of an argument in which he was asked to sell his auto for $1,000.

In tracing Mrs. Torrence's movements prior to her death, police had learned she promised a real estate dealer to raise $3,000 by the next day to pay on a house she was buying.

The case had its beginning when an unidentified woman's body was discovered floating in a sewer line in the Utoy Disposal Plant on Bakers Ferry Road, a few miles outside the city limits. Both of her legs had been broken below the knee and the right side of her head was battered.

She was identified the same night by her husband, Willie Torrence, and Major Bailey, who was a tenant in the home at 369 Ashby St., S. W. Bailey was questioned later and admitted that he had roomed with the family for 14 years. Wednesday he allegedly signed a statement. admitting hurling her down a sewer on Willis Mill Road which is located not far from the plant where she was found, police reported.

A post mortem examination a few days later revealed that death was due to head injuries.

In other actions the Grand Jury charged Baker Williams with the February 12. slaying of John Whitlock, who the Grand Jurors said was killed by shots from a pistol.

The jury also charged Frankie Shrine with involuntary manslaughter, in connection with the January 6 traffic fatality of W. A. Warren. George W Daniel was charged with involuntary manslaughter for the January 24 traffic fatality of T. E. Ashley.

p. 1
Atlanta, Ga.
World
Dat. 2-21-53
13c Ga

Prosecutor Who Pleaded For Convict Won't Quit

Journal and Guide

FORSYTH, Ga. (NNPA) — Ben Garland, solicitor of the Flint Judical Circuit, last Thursday refused to accede to the demands of a Monroe County grand jury that he resign because he recommended commutation of the death sentence of a colored war veteran, whom he believed had not received a fair trial.

Notified of the grand jury's special report, in which his resignation was requested and Chairman Charles Pannell of the Georgia Pardon and Parole Board was criticized for commuting the death sentence, Garland said:

"I have no intention of resigning and that is final. I did what I believed to be the right thing in asking that the Pardon and Parole Board commute the man's sentence and I would do it again.

"They said I was sick with flu and was running a temperature when I wired the board asking for the commutation. Well, I'm over the flu now and don't have any temperature and I'd do it all over again."

• • •

THE GRAND JURY met in special session Feb. 2 after Garland appealed to the Pardon and Parole Board to reduce the sentence of William Oglet..., who was sentenced to die in the electric chair for killing William Bell, white textile worker.

"We are of the opinion that the solicitor general acted within his rights as an individual in personally speaking out against the death penalty," the grand jury report said. "But as a solicitor general his duties require of him to prosecute cases according to law and since his personal feelings are as they are he can no longer serve the best interest of the people of this county and we are calling upon him to resign."

THE REPORT pointed out that the solicitor's brother, Reuben Garland of Atlanta. conducted the defense for Ogletree, and that two other attorneys assisted in prosecuting the case. The grand jurors charged that Garland did not consult the other prosecutors before making his plea for clemency for Ogletree.

After the conviction, the report stated, Garland opposed commutation of the sentence during a hearing before the Pardon and Parole Board, but reversed his position on Jan. 29 and asked for clemency.

* * *

ON THE DAY the sentence was commuted, the jurors said, W. E. Watkins, an attorney, and father-in-law of Garland, called the board and asked if any action had been taken. Informed that no action had been taken, the report continued, Watkins asked board members to disregard the matter "because in his opinion Garland had a temperature of 105 degrees and was not rational."

The report criticized Pannel as being "evasive and arrogant" when called before the grand jurors. It pointed out that he did not bring any records with him and stated that Attorney General Eugene Cook had ruled that records of the parole board could not be removed from the Capitol. The report said that in this he was upheld by Judge Willingham, who presided at the Ogletree trial.

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Norfolk, Va.
Dat. 2-14-53
Journal and Guide
Dat. 2-14-53
13c Ga

13c 1953

Georgia

Matron's Body Found

Corpse Found In Sewer

13c Ga

By WILLIAM FOWLKES
(Courier Staff Correspondent)

ATLANTA—Who killed attractive Mrs. Rosa Bradley Torrence and threw her body into a sewer?

Courier

That question plagued Atlanta police and the general citizenry last week, as varied rumors continued.

P. 1

High on the list of speculation, however, was the background of Atlanta's West Side housing tension which has centered for three years in the general area of Mrs. Torrence's 369 Ashby Street home.

This house was bombed a few days before Mrs. Torrence moved in with her family in March, 1949. Following repair, the house was occupied and served as the spearhead for Negro occupancy of homes from West End Avenue back to Greensferry Avenue and beyond.

Sat. 1-31-53

THE ATLANTA matron's body was discovered in a sewer line of the Atlanta Utoy Disposal Plant on Bakers Ferry Road, several miles southwest of city limits near the Adamsville District. She had been beaten about the head, deep scalp wounds being on the right side, and both legs broken. Detectives theorized at first that she may have been hit by an automobile and her body cast into the sewer.

Pittsburgh Pa

Disposal Plant officials said the body may have been washed up there from any of several points inside Atlanta.

Courier

Police questioned Willie Leonard Torrence, husband of the slain woman, who identified her body at a local funeral home. He and a fellow-worker told police they last saw Mrs. Torrence upon leaving for work the morning before she disappeared.

Sat 1-31-53

Torrence said he noticed the lights burning in the house when he returned home that afternoon, but gave her being away from home little thought. When he awakened following a nap in the evening, he made inquiries as to Mrs. Torrence's whereabouts, but to no avail, he said.

* * *

TORRENCE NEXT saw his wife's body at the funeral home, he related, when discovered in the sewer, the body was fully dressed except for one black sandal shoe. The dead woman wore a red blouse and a grey flannel skirt.

According to reports, Mrs. Torrence was about to sell the Ashby Street house, which is in the vicinity of a planned "buffer" housing project. It was learned that she had received several threats following the 1949 dynamiting and that she had faced would-be mobsters with pistol in hand.

City detectives, however, were investigating a number of other theories, which might be explored at a coroner's inquest early this week.

Miss Willena Torrence, Fisk University piano student and daughter of the dead woman, arrived in the city from Nashville to take charge, along with her father, of funeral arrangements while police searched through rumors and meager clues in the attempt to apprehend the killer.

* * *

ANOTHER POSSIBLE motive in the Torrence slaying was revealed when a realtor confirmed that the dead woman had posted $500 "earnest money" toward the purchase of an apartment in the predominantly white area of Forrest Avenue, not far from a white hospital.

It was known that several attempts had been made to force Mrs. Torrence not to proceed with the sale. An old friend of the victim expressed belief that she might have met foul play during a conference with persons opposed to the deal in this controversial East Side neighborhood.

A robbery motive was being dismissed, despite the fact Mrs Torrence's handbag was not found near the body. Three gold rings were still on her fingers when the body was fished from the sewer.

Woman, Once Bombed for Moving Into White Neighborhood, Is Found Dead

13c Ga

By C. W. GREENLEA

ATLANTA, Ga. — (ANP) — Atlanta police last week were probing the mysterious death of an attractive business woman, Mrs Rose Torrence, 40, manufacturer of hair pomades and beauty preparations and owner of a mail order business for these products.

Call

Mrs. Torrence's body, unidentified for two days in the city morgue, was discovered floating in a sewer line at a disposal plant on the outskirts of the city. Homicide detectives said her body could have reached the spot from any of the countless sewer openings on the city's west side.

Jan 1-30-53

The dead woman, who lived at 369 Ashby street, southwest, was identified by her husband, Willie Torrence, an embalmer for a local funeral home.

Kansas City Mo

"I wish I knew who killed her," Torrence declared softly, over and over, as detectives questioned him.

The body was fully clothed except for a single black sandal. She was dressed in a grey flannel skirt and red blouse, with no identification papers. Signs of a violent struggle were apparent, police said. Both of the woman's legs were broken below the knee, there was a small bruise on her forehead and the right side of her face was a bloody mass, that enveloped her long black hair.

P. 4

Torrence said that he and Mrs. Torrence had never been separated. "We were married in 1922, and we've been happy".

The couple had a daughter. Willeana Torrence, an accomplished pianist who has attracted considerable attention in local concerts. She is a junior at Fisk university in Nashville, Tenn., and had been notified of her mother's death.

A post mortem into the cause of death revealed that Mrs. Torrence died of "several blows," homicide detective. H. E. Burdette said.

The motive for the slaying remained shrowded in mystery as police combed the city for clues.

Mrs. Torrence crashed into the news four years ago when she first purchased the home at 369 Ashby street, Southwest, a former white section where racial tension became acute as Negroes moved into newly bought homes.

The Torrence home was bombed on March 5, 1949, a blast that was heard over a mile away and demolished several rooms. The woman defied threats and moved her family in the house to stay. Several witnesses queried by police said Mrs. Torrence was in process of selling the home and moving to another section at the time of her death.

A roomer in the Torrence home, Major Bailey, said he and Mr. Torrence went to the morgue to identify the body after she did not come home all night. and a call to the police station disclosed the information about an unidentified body.

The roomer said he last saw the woman when she and her husband left home together early the morning before her death. Torrence said he returned home at night and finding the lights on, assumed she was out temporarily, and he went to bed. When he awoke and found her still out, he became concerned, he said.

Two real estate brokers were located who said they had shown Mrs. Torrence some property on the last day of her life.

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19 Slayings Are Listed By Police

Cases of violence in Atlanta are on the increase this year, and show a marked, increase over last year's totals for the same period, Homicide Squad head Detective Lieutenant L. T. Bullard said yesterday.

With March having drawn to a close, Lt. Bullard was compiling monthly homicides when he discovered that Atlanta had witnessed 19 slayings so far this year, against a background of 17 for the same period in 1952.

P. 1

13c

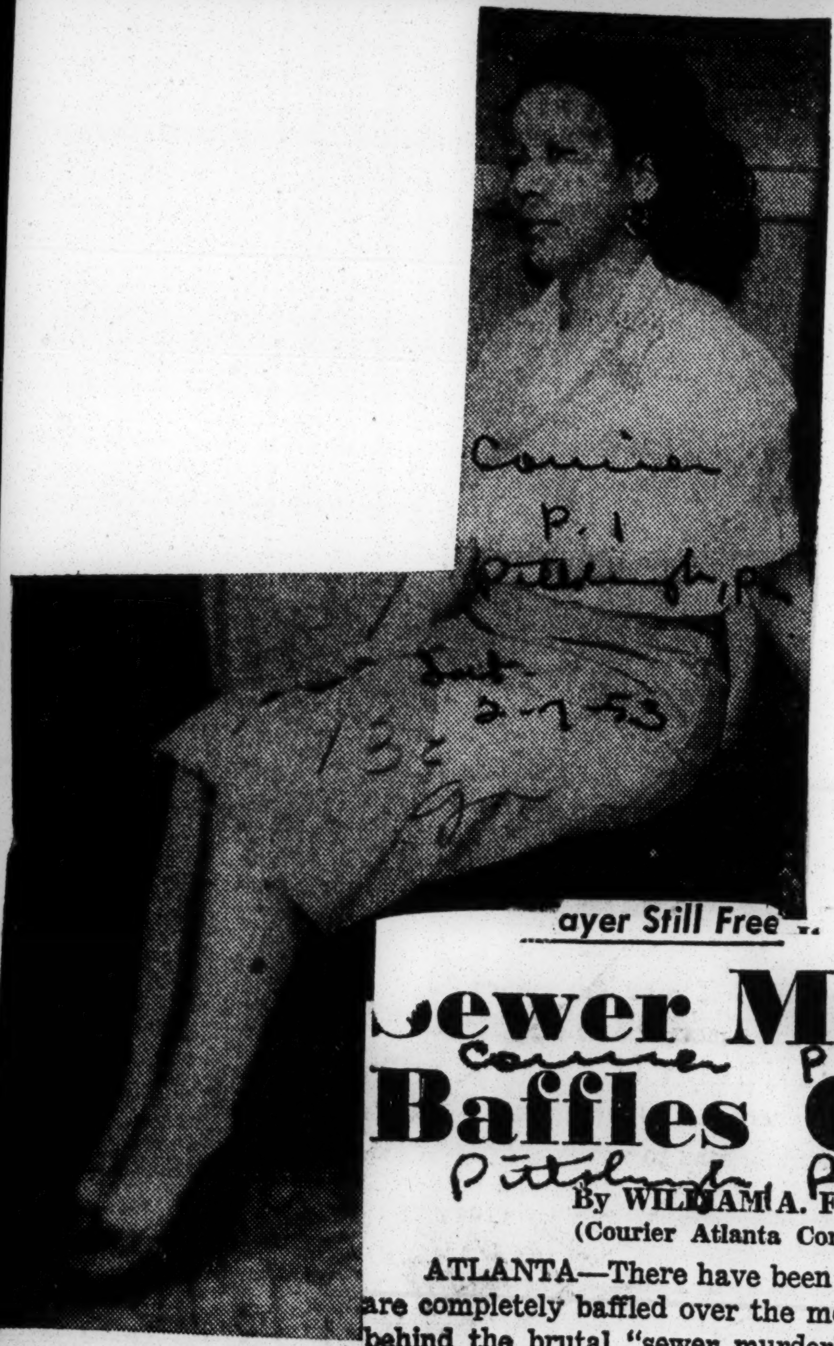
There were eight slayings in March for both years, but figures show that there were eight homicides in January and three in February this year. There were only five in January, 1952, and four in February.

Atlanta Ga

4-2-53

Stabbing cases, however, showed the largest increase. There were 66 stabbing cases in March, 1953 against 43 for the same period in 1952. Making the increase seem even more drastic were the February totals of 61 stabbings this year and 63 last year.

Cases involving assaults were 73 last month, and 68 for the same period in 1952. In February, however, they showed a slight decrease with 56 for 1953, and 73 for 1952.



Courier
P. 1
Pittsburgh, Pa.
Sat 2-7-53
132

MRS. ROSA B. TORRENCE

ayer Still Free

ewer Murder Baffles Cops

Courier P1
Pittsburgh Pa.

By WILLIAM A. FOWLKES
(Courier Atlanta Correspondent)

ATLANTA—There have been no arrests . . . and police are completely baffled over the motive . . . or motives . . . behind the brutal "sewer murder" of wealthy 40-year-old Msr. Rosa Torrence.

The attractive wife and mother . . . owner of a firm manufacturing hair pomades and beauty preparations sold via mail-order . . . has been buried.

Sat 2-7-53

Her daughter, Miss Willena Torrence, piano student at Fisk University, has quit school to assist her father in carrying on the business.

The $14,000 home which Mrs. Torrence had planned to purchase on the last day of her life . . . on Forrest Road . . . is still in the hands of the real estate agency she was dealing with.

* * *

THERE IS still no trace of the "missing" pocketbook . . . and thus motive for the killing remains a mystery.

P. 5

Two detective teams and a department sergeant have been ordered to stay on the case until it is solved. These men are leaning to a theory that an "acquaintance," from whom Mrs. Torrence hoped, or tried, to borrow some money, killed her in an abandoned part of the city and then tried to dispose of the body.

Sat 2-7-53

Police have expressed the belief that the "killer" was well known to Mrs. Torrence, and that a struggle . . . if any, was brief. They did not discount the theory that the murder could have occurred inside Atlanta and the body transported to the outlying area for disposal in the main sewage plant.

The number of "acquaintances" and business operations of Mrs. Torrence . . . uncovered by the police . . . sent them to her Ashby Street home on several occasions to search for papers, receipts and other scribbled leads which might furnish clues.

* * *

MRS. TORRENCE had business dealings with both white and Negro agents in her cosmetics and real estate business, relatives and police confirmed. Her income was estimated to have ranged from $800 to $1,000 a month from apartments and beauty products.

Mrs. Torrence's body, unidentified for two days in the county morgue, was first discovered floating in a sewer line at a disposal plant on the outskirts of the city. The body, fully clothed, except for a missing black sandal, was identified by her husband, William Torrence, embalmer for a local undertaking firm.

When found, Mrs. Torrence was dressed in a gray flannel skirt, red blouse, nylon undergarments. Signs of a terrific struggle were apparent. Both legs had been broken below the knees; there was a small bruise on her forehead and the right side of her face, enveloped in long black hair, was badly battered.

Mrs. Torrence first hit news headlines several years ago when she defied custom in Atlanta to move into her Ashby Street home, at that time in a "tension area." Despite the fact that her home was bombed and several rooms demolished, she refused to be terrorized.

Hold White Man In Alley Slaying

Courier
P. 17
Pittsburgh Pa.
Sat 6-13-53

SAVANNAH, Ga.—Local police last week held Gordon Lanier, white, in connection with the "alley feud" slaying of Mrs. Julia Johnson, a Negro neighbor. Mrs. Johnson reportedly was shot as several other white neighbors looked on.

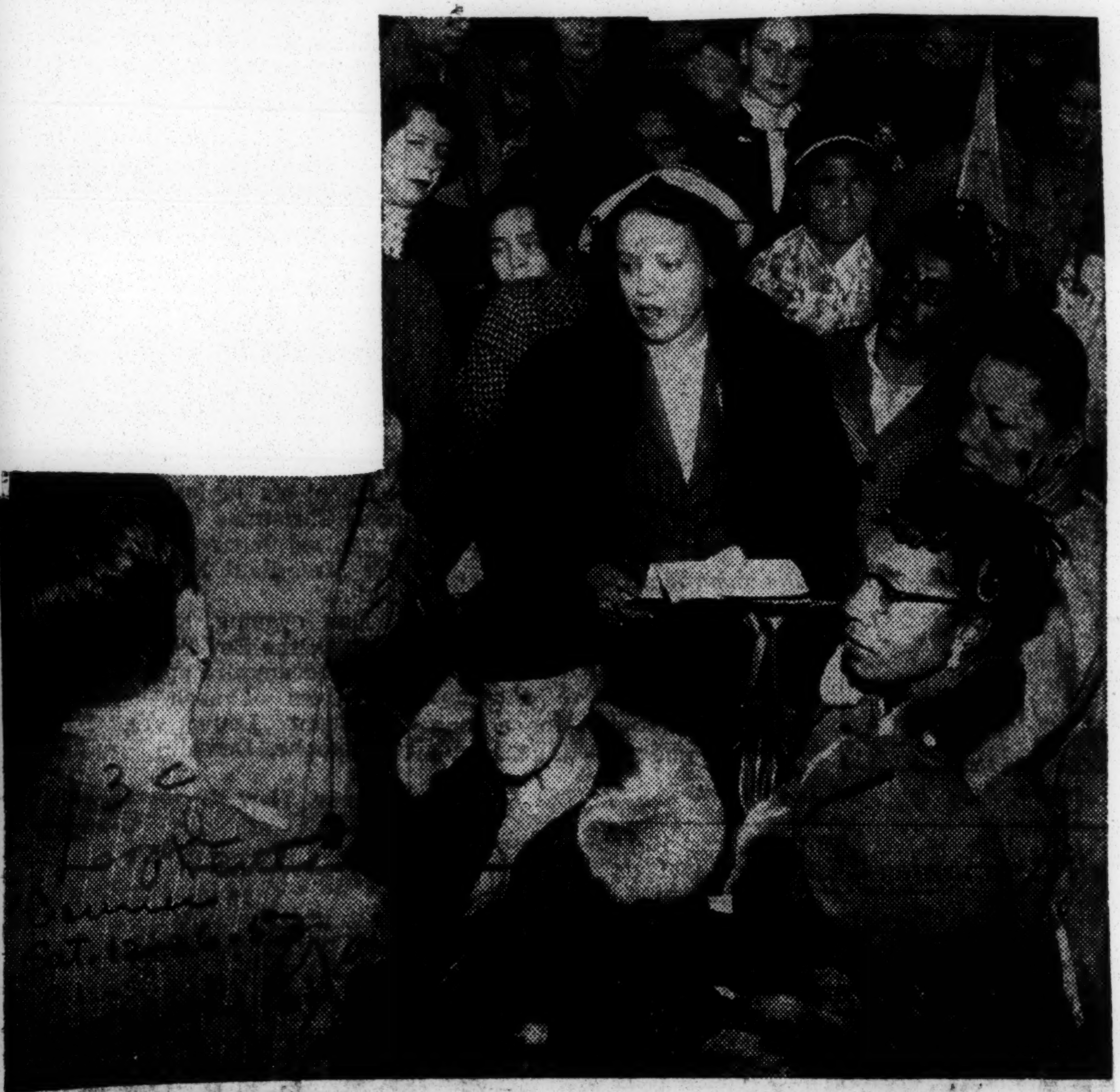
According to police, a feud between Mrs. Johnson and Lanier existed over rights to an alley to Waldburg Lane. Loud talk and argument preceded the point-blank shotgun blast, it was stated.

Mrs. Johnson was 60 years of age, while the white man was 47, records indicated.

1-13-53

Willena Torrence (left), daughter of Mrs. Rosa Bradley Torrence, whose body was found in an Atlanta (Ga.) sewer. Right: Mrs. Torrence's husband, Willie Leonard, Torrence. Center: The Torrence home, located on Ashby Street, S. W., in Atlanta.

Courier Sat 2-7-53 Pittsburgh Pa. P. 1



Facing Talmadge— Mrs. Halois Robinson, leader of New York's twenty-three-woman delegation to Georgia's capitol in Atlanta, attempts to read a petition asking the release of Mrs. Rosa Lee Ingram from prison. Georgia's Governor Herman Talmadge (lower left, back to camera) advised the group to go before the Pardon and Parole Board. Seated, center, is the veteran civil rights campaigner, Mrs. Mary Church Terrell, of Washington, D. C.—Perry Photo.

100 Invade Capitol

Talmadge Turns Camera on Women

Courier
Sat. 12-26-53
Pittsburgh Pa.

By WILLIAM A. FOWLKES

ATLANTA, Ga.—Over one hundred out-of-state and Georgia women prayed, sang and cried to Gov. Herman Talmadge at the State Capitol last Friday for the release of Mrs. Rosa Lee Ingram and her two teen-age sons.

P. 1

Mrs. Ingram

But, the dramatic plea seemed to fall on deaf ears in the executive offices, which had been set up for registration and movie photography of each admitted guest. Informed sources speculated that an attempt would be made to ferret out suspected "Reds" and "Pinks" among the delegation and to possibly "smear" the whole effort to free the Ingrams.

THE GOVERNOR, who waited until everybody was registered and photographed before coming out of his inner office, refused to hear the petition of the Women's Committee for Equal Justice. He curtly referred the group to the office of the Pardon and Parole Board on the fourth floor of the Capitol, where Board Chairman Charles Pannell and member William Kimbrough said there was no new evidence to free the Ingrams for the 1947 slaying of a white farmer. They promised that the Ingram appeals would be considered in routine fashion when they become eligible under state law after seven years' service in 1955.

Nevertheless, Georgia's Capitol Building had never seen such a demonstration by Negroes in modern times.

Courier
Sat 12-26-53

Led by venerable "Old Fighter" Mrs. Mary Church Terrell, who helped tear down Washington's jim-crow bastions, the ranks of out-of-state delegates were swelled twofold by Georgia club women and friends sympathetic to the Ingrams' plight.

They alighted from cars at the Capitol front and marched up to the steps under a big banner captioned: "Free Mrs. Rosa Lee Ingram."

Photographers had a heyday. Prominent among them were the staff of the Statesman, political paper of Gov. Herman Talmadge and his deceased father, which follows the well established propaganda line.

The camera bulbs popped as the prayers started, intoning divine assistance in Mrs. Ingram's release.

* * *

MRS. ANNIE HALL, retired church missionary of Atlanta, pointed out in her prayer that "when a woman is in trouble, all other women are in trouble" . . . "that mothers all over the world appealed to the Governor and authorities to let Mrs. Ingram go home to her children."

They sang "No More Mourning" and "Before I'd be a Slave, I'd be buried in my grave . . . and be free."

There were other prayers and finally New York minister, the Rev. Harold S. Williamson pleaded that "those who are held in bondage shall be free and that the hearts of those in authority be touched."

After other prayers sought Mrs. Ingram's freedom during this Christmas season, there was singing of "Joy To The World" and "Let My People Go."

The group then marched inside the Capitol to Governor Talmadge's offices where the lengthy registration — each name being recorded on a single sheet of paper as well as a common register—began. As each name was announced by the Governor's executive secretary and recorded again inside the state chief's outer chambers, the persons entered where a Statesman movie photographer—outfitted with Kleig lights—recorded the entrance. This went on for forty minutes before the room could hold no more people. Then the Governor appeared and after hearing a short statement by Mrs. Terrell stated that he had no judicial power to pardon or parole the Ingrams.

MRS. HALOIS Robinson, leader of the New York delegation of the Women's Committee for Equal Justice, attempted to read a petition to Governor Talmadge, but he stopped her with the observation that he could save her time. He directed that the petition be taken up to the Pardon Board.

Mrs. L. D. Shivery explained that Georgia mothers were in the group.

13c

Federal and Georgia Bureau of Investigation agents were in the Capitol halls as the delegation took elevators to the fourth floor and the Pardon and Parole Board.

Mrs. Robinson read the women's petition to Chairman Pannell and member Kimbrough. There were statements from Mrs. Terrell, who noted that some "leading legal lights" were of the opinion that Mrs. Ingram and her sons "committed no crime"; from Mrs. Mamie Reese, president of the Georgia Clubwomen Federation; Mrs. J. S. Flipper of the African Methodist Episcopal Church; Mrs. Shivery, Miss Karen Morcley, white movie actress; Mrs. Elizabeth Smith of the New York NAACP, and Mrs. Mabel Barnum, who lives near the NAACP-built Ingram home near Americus.

One of the most touching appeals to the board members came from Mrs. Geneva Rushing, eldest daughter of Mrs. Ingram. Said she:

"We need her so much at home; we miss her terribly!"

Two other white members of the delegation spoke before there was a discussion of the case aspects with the board members.

Last year a group of ten New York women, including some of those present at the Capitol last week, was refused permission to visit Mrs. Ingram at Tattnall State Prison.

* * *

MRS. INGRAM and her sons, Sammie and Wallace, were convicted of murdering John E. Stratford, an elderly white farmer, during an altercation over straying livestock. The farmer was alleged to have attempted to assault Mrs. Ingram with gun in hand on her tenant farm when attacked. However, the Ingrams were found guilty of murder and sentenced to death in the electric chair.

The presiding judge later commuted their sentences to life imprisonment. The case was appealed to the State Supreme Court which refused to grant a new trial.

The NAACP and citizens organizations raised thousands of dollars to care for the Ingram children and to seek her release. The NAACP built a house for the twelve remaining children near Leslie, Ga., and contributes $100 monthly for food for them.

* * *

Daughter Says:

Mrs. Ingram's Children Need Clothing

ATLANTA, Ga.—Mrs. Geneva Rushing, eldest daughter of

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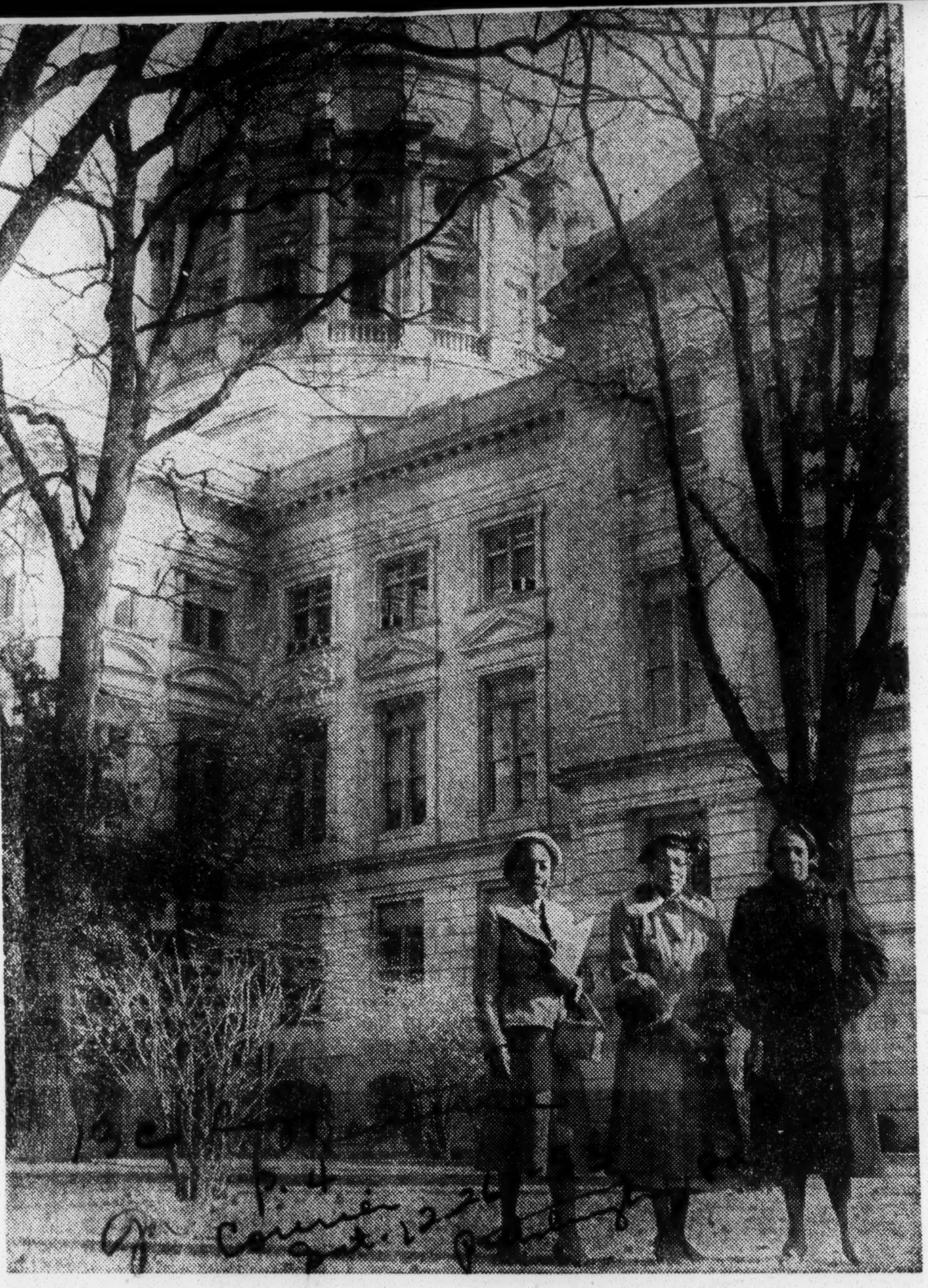
imprisoned Mrs. Rosa Lee Ingram, said last week that the Ingram children are badly in need of clothing—particularly shoes—and toys for the Christmas season.

Mrs. Rushing, who acts as the "Mama" in the Ingram household near Leslie, says the NAACP contributes $100 monthly through the Americus branch. She said this does not go far enough for the other needs of the family.

* * *

MRS. INGRAM was last visited at Tattnall Prison on Mother's Day, May, 1953, according to Mrs. Rushing. She was "doing fairly well," but "nothing to brag about," the daughter said.

It was also revealed that brothers Sammie and Wallace, now 19 and 22 years of age, had been transferred from Tattnall Prison at Reidsville to Mitchell County Camp at Camilla.



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Visit Talmadge—Mrs. Mamie Reese, of Albany, Ga., left, and Mrs. Geneva Rushing, of Leslie Ga., daughter of the imprisoned Mrs. Rosa Lee Ingram, and Mrs. Mabel Barnum, of Americus, stand near Georgia's capitol's dome before demonstration for the release of Mrs. Ingram.—Perry Photo.

13c 1953

LEGAL SENTENCE (GEORGIA)

Man Shot In Jail "Advancing" On Sheriff

BY HARMON G. PERRY

AMERICUS, Ga. — (SNS) — The Americus, Georgia court house was the scene Thursday where a Sumter County policeman was bound over to the Grand Jury for the murder of a Lee County Negro farmer.

John Mays, Jr. 40-year-old son of a wealthy Leslie, Georgia farmer was shot and killed by L. A. Hawkins on the night of September 29.

According to a statement made by a witness at the hearing Thursday, Mays, who is very popular among Negroes in this area, and described as being peaceful and hard-working, was shot after advancing on Officer Hawkins following his arrest for "threatening a woman and resisting arrest"

Mays' brother, Robert, a student at Tuskegee Institute, swore out a warrant for Hawkins's arrest upon his arrival in Americus, but Hawkins had not been arrested prior to the commitment hearing.

RETAIN ATTY. DUKE

Robert Mays and his family, which consists of his aged parents, four brothers and five sisters, immediately retained the services of Dan Duke, Atlanta attorney, to represent them at the commitment hearing Thursday morning.

Hawkins was released on a $500 bond by Superior Court Judge Cleveland Reese, who acted as [illegible] Magistrate during the hearing.

The Sumter County Solicitor General sought to have the warrant against Hawkins dismissed on lack of evidence, but [illegible] pointed out that this was a private case and he had been retained by the victim's family. Judge Reese quickly ordered the hearing to proceed.

W. W. Webb Mayor and Pharmacist at [illegible] first witness questioned by Duke. Under a series of questions, Webb admitted having ordered, without a warrant, the arrest of Mays, because one Lois Bryant had allegedly complained that Mays had threatened her.

SAYS HE "EXPLAINED"

Webb further stated that he had explained to Mays why he had taken this step when the latter visited him at his home on the night of September 29. The Mayor continued that he altered his order to allow Mays to collect some money owed him in the vicinity of Miss Bryant's home, but warned him that he would be arrested if caught on her property, or did not return to his home in Lee County.

Webb testified that Officer Hawkins appeared on the scene while he and Mays were talking, and arrested Mays after he became unruly, using his blackjack in getting Mays into the car.

Webb, in continuing to answer Duke's questions stated that he decided to return to town to get his gun after realizing that Hawkins was alone with his prisoner, but met Hawkins as he was leaving his office.

Webb said that he asked Hawkins if everything were all right, and the officer replied, "I'm sorry but I had to shoot him." Webb said that he asked if Mays were dead, and Hawkins said that he didn't know.

DEFENDANT SILENT

Hawkins, who sat soundless during the hearing, declined to make any statements in his behalf.

When further quizzed by Duke, Webb admitted that Hawkins never said why he shot Mays, only that he fired to frighten him as Mays advanced on him at the jail.

Dr. Frank Wilson, the second witness to be interrogated by Duke, explained that in examining the body he observed one bullet wound in the left chest, blood about the mouth, and a scalp wound.

Attorney Duke will seek Federal investigation in the case, and follow through on additional evidence in order to stop a possible attempt by the Solicitor General to have the case thrown out at the coming Grand Jury hearing.

13c

World

Atlanta, Ga.

Fri. 10-2-53

"What Was Outside The Record?"

The Monroe County Grand Jury has made it crystal clear that it was displeased with the action of the Pardon and Parole Board over its decision in the Ogletree case.

13c Legal Sentence

Immediately after the Board's action last January in commuting to life imprisonment the death sentence hanging over Ogletree the Grand Jury went into special session and demanded the resignation of the Solicitor General who recommended the commuting of the death sentence. It subpoened members of the Board. A Monroe Grand Jury has also indicted the chairman of the Pardon and Parole Board, Charles J. Pannell, and recommended that impeachment proceedings be taken against Ben B. Garland, solicitor general, who asked commutation of the Ogletree death sentence.

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A brief review of the case is this:

In March, 1952 Private William Ogletree, 24 was home in Forsyth, Ga. on furlough from Korea. He entered a filling station office to make a small purchase and was attacked with a chair, according to his statement, by a white textile worker whom he shot. He was tried at Forsyth, Ga. In May of that year by an all-white jury and convicted of first degree murder and sentenced to die. The State Supreme Court refused to review the case. He was scheduled to die on December 22, 1952. Governor Talmadge granted a thirty day stay of execution. He was rescheduled to die on January 30, 1953. A few days before that time Solicitor General Benjamin Garland appeared before the Pardon and Parole Board and requested that the sentence be commuted to life imprisonment.

Atlanta, Ga.

We don't know all that the Solicitor, who prosecuted the case, told the Board but he has been quoted in the press as having stated that "it was what was outside the record (in the case) that bothered me." Can it be that new evidence was discovered since the trial that tended to show that Ogletree did shoot only after having been attacked with an instrument that could have taken his life?

Fri. 11-13-53

We recognize the right and duty of a Grand Jury to look into any matter of community interest, or one bearing on the administration of justice. But do the facts in this case justify the unusual steps taken in the Ogletree matter?

What's worrying us is the danger of such action that has been taken by the Monroe County Grand Jury may have an intimidating effect on other Solicitors and the Pardon and Parole Board if in the future evidence warrants similar action that was taken in the case of Ogletree.

Mrs. Terrell Arrives To Lead Today's Ingram Freedom Rally

World

Atlanta, Ga.

A group of local and area dignitaries was on hand at the Atlanta Airport yesterday afternoon to greet Mrs. Mary Church Terrell, veteran fighter for human rights, as she arived here to lead a march at the State Capitol at noon today in interest of the freedom of Mrs. Rosa Ingram and her two sons.

Fri. 12-18-53

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Mrs. Terrell, arriving from Washington, D. C., via Eastern Airlines, accompanied by her daughter, Mrs. Phyllis Langston, was greeted at the airport by a delegation, which included Miss Marilyn Alexander, coordinating director for the Women's Committee for Equal Justice; Mrs. W. A. Scott, Sr., the Rev. E. F. Robinson, Mrs. B. J. Nolen, Mrs. S. L. Green and Charles Sherwood, who drove a limousine set aside for the occasion by Mrs. Geneva Haugabrooks.

MRS. TERRELL IS 90

Mrs. Terrell, who despite her 90 years plans to lead the march on the Capitol tomorrow where Gov. Talmadge—according to wire services—has promised the group an audience was accorded another welcome when she arrived at the Waluhaje Apartments-Hotel where she will stay during her visit here. On hand to greet here were Mr. and Mrs. W. H. Aiken, developers of the hotel; Dr. and Mrs. Reynolds, Mrs. Lucy Rucker and Mrs. L. D. Shivery.

World

Atlanta, Ga.

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Fri. 12-18-53

Today's activities which get underway at the Capitol at noon are being staged in interest of the 45-year-old Ellaville mother. Mrs Rosa Ingram, who with her sons Wallace, 21, and Sammie Lee, 19 were convicted in 1947 of the beating-murder of a white fellow-tenant farmer who was allegedly making improper advances upon the woman. Mrs. Ingram, mother of 12 children, and her sons were initially sentenced to execution. Their sentences were commuted, however.

13c 1953 Georgia (Legal Sentence)

CLARENCE HENDERSON FREED; JOINS FAMILY HERE

Attorney Dan Duke Frees Client On Habeas Corpus Writ

BY LERONE BENNETT, JR. 13c

CARROLLTON, Ga. — Clarence Henderson who thrice tottered on the arm of the electric chair was released from the Carrollton jail yesterday on a $1,000 personal appearance bond.

Judge Samuel Boykin abruptly terminated a habeas corpus hearing and instructed the clerk to allow the 30-year old Georgian to sign his own bond. Attorney Dan Duke, who was retained by the Atlanta NAACP, had informed the Court that Henderson is a "pauper."

The token bond technically continues in force two indictments against Henderson for a robbery and murder of Carl "Buddy" Stevens, Georgia Tech student, October 1948 in a Carrollton lovers lane. He was convicted three times and sentenced to the electric chair for the slaying.

THREE DECISIONS REVERSED

The State Supreme Court reversed all three convictions and ruled that there was insufficient evidence to connect Henderson with the crime. Although Henderson can still be tried for the slaying, Attorney Dan Duke indicated in court yesterday that a continuing investigation has turned up new evidence "leading to a person other than my client."

Atlanta, Ga.

At the suggestion of Solicitor Wright Lipford, Henderson was whisked from Carrollton to Atlanta. Lipford pointed out, "I don't want anything to happen to him."

Attorney Duke had asked that Henderson be released on a writ of habeas corpus. He contended that Henderson was being "illegally restrained of his liberties" in violation of the due process clauses of the Georgia and Federal Constitution.

Solicitor Lipford denied this and calmly, almost indifferently, cited a section of the Georgia code, forbidding the release of defendants charged with a capital crime when there is a bench warrant pending that is "pure and regular on its face."

ATTORNEY DUKE REPLIES

Duke rose to slash at this contention but Judge Boykin warned him, "If you don't have any Georgia authorities, I'm not going to grant it." Duke thereupon cited two Georgia cases dating back to 1805 and pointed out:

1. It is the court's duty to insure justice for all people under the law.

2. Any bench warrant (a judicial order for the arrest of a person indicted) must "arise out of something."

3. That if there is insufficient evidence to obtain a conviction, there is insufficient evidence to obtain an indictment.

4. That Henderson's rights were violated when the court continued the case with a formal motion for continuance.

AGREES "IN PRINCIPLE"

Judge Boykin replied:

"I agree with you on the principle of the thing, but there is a bench warrant pending. I have some obligation here, but I agree with you in principle."

The jurist told Duke that the only way Henderson could be released would be for the prosecutor to nolle prosse the case. Duke replied, "I can't make him nolle prosse it."

"I can't either," the Judge answered.

Jun. 1-18-53

Duke told the court that once the defendant bores behind the bench warrant and attacks the "substance" of it that a writ of habeas corpus is proper.

At one point, the judge asked the solicitor, "Is anything being done about it (the Clarence Henderson case)." Lipford applied in the affirmative, but Duke protested:

DOESN'T POINT TO HENDERSON

"I know about the work being done, but the work that is being done doesn't point to Henderson."

Without preamble, Judge Boykin turned to the clerk and declared, "I think you had better let him make his own bond."

The courtroom was crammed with a host of white citizens and a handful of Negroes. Henderson was brought to Atlanta where he was reunited with his wife and three children. C. W. Greenlea, representative of the Atlanta NAACP, also met with Henderson in Duke's office.

Stevens was slain as he fought off an assailant who allegedly attempted to assault Stevens' girl companion. The woman, who fled the Lovers' lane scene while the men fought, failed to identify Henderson as the attacker in his first trial. In his next two she asserted he was the slayer.

Local Citizens Glad At Release Of Henderson

Freedom and beaming rays of sunshine smacked Clarence Henderson in the face a little before high noon yesterday. For more than three years, the slight, bespectacled Georgian had hovered between life and the shimmering death of the electric chair.

After signing a personal appearance bond, he was whisked away to the Carrollton jail to gather his personal possessions which were dutifully tied up in a small sack. His release occasioned no little comment in Carrollton where, minutes after the hearing, small groups of Negroes and whites gathered in the Courthouse Square.

Jun. 1-18-53

LOCAL REACTION

The whole thing puzzled a white citizen who commented:

"Phooey, Why didn't they just turn him a loose here. Nothing is going to happen to him. He's no more guilty than you or me.

P.I.

This view was shared by many persons but court attaches pointed out that "you never can tell what will happen. We want to protect him from sc[illegible]lls."

Atlanta, Ga.

Henderson viewed the whole thing philosophically.

"I didn't do anything," he said, "but pray, prayed and kept the jail clean."

He said, "I'm glad to be out and I want to give thanks for all the organizations and the NAACP and Mr. Duke (Attorney Dan Duke) great work. I never gave up hope, I never did."

Attired in a civilian Ike jacket, slacks and a flowered sports shirt a la President Truman, Henderson revealed that he had been a trusty for the last two months. He said that he had the run of the town and was free to go see his wife or get a haircut.

WANTS TO GET SETTLED

Henderson said that he wants to get a job and get settled with his family. The NAACP who sponsored his long fight through state courts will aid Henderson in finding a job.

There was no saccharine emotion on either side. The whites were singularly calm and no demonstration marked the court proceedings.

Duke dominated the court hearing, holding forth powerfully with soaring rhetoric and florid gestures. The Carroll County solicitor sat impassively, fingering a sheet of paper.

Judge Boykin rocked in his stuffed chair, returning again and again to the law in the case. His order slammed on the court like a cloudburst, and the expectant crowd folded arms and milled out.

A portly Carrollton citizen cornered Mrs. Henderson on the stairs and reassured her:

"I'm so happy. I've been praying for you all the time."

13c

World
Sun.
1-18-53
Atlanta, Ga.
P. 1

A FREE MAN WALKS THE STREET WITH HIS FAMILY! — Clarence Henderson, finally freed after having been sentenced to the electric chair three times for the alleged robbery-slaying of a Carroll County white man, is pictured happily walking the streets Saturday with his family. Henderson holds 2-year old Lucretia, born while he was in prison, while wife Lizzie, Clarence, Jr., and Sarah walk beside. — (Perry Photo)

Youth Is Sentenced To Electric Chair For Slaying White Woman

MONROE, Ga. — Paul Wright, an 18-year-old youth who police said confessed last April to the slaying of a 42-year-old white woman has been sentenced to die in the electric chair, July 17.

13c Lynch

Wright, who with his mother and two brothers, worked as tenant farmers on the property of Mr. and Mrs. Elmer Daniel, reportedly confessed in Atlanta to fatally stabbing Mrs. Sara Belle Daniel, 43, after she surprised him in her dining hall while he was getting something to eat.

The confession was made after hours of grilling by two sheriffs, two GBI agents and Dr. Herman Jones and his corps of workers in the Atlanta Crime Laboratory, police reported.

World

DEATH PENALTY

The youth was convicted in Walton County Superior Court, and the jury in returning a verdict of first degree murder failed to recommend mercy, making the death penalty mandatory under Georgia law.

Atlanta
Ga.

Wright was arrested the day after Mrs. Daniel's body was found by neighbors with whom she rode to work. Doctors said she died from stab wounds inflicted near the heart. Sheriff Sorrells said Wright admitted stabbing the woman three times with a butcher knife. The youth allegedly said he thought all members of the white family had left the house.

P. 1

TWO BROTHERS

The youth said he had gone to the house to get a shovel. Officers declared he said at first he had returned to the farm with the shovel and went to work with his two brothers, D. C. and J. W. Wright who corroborated his statement. However, police said, the statements were later disproven by lie detector tests.

World
6-4-53

Police quoted Wright as saying he stabbed the woman after she grappled with him when he attempted to stop her from screaming, then ran home and fell across his bed. Police said this was where they found him shortly after the woman's body was found.

13c 1953 Georgia (Legal Sentence)

Bar Friends Of Ingram In Georgia

Defender

P. 1

LOVEJOY, Ga., — (INS) — Gov. Herman Talmadge last week refused a plea of 10 white and colored women to see a murderess serving a life term in a Georgia prison.

Chicago, Ill.

The group made a special trip to see Governor Talmadge at his Lovejoy farm after being barred by a court order from the prison at Reidsville.

Sat. 1-3-53

The women, who came South to visit Rosa Lee Ingram at the prison, were told by Talmadge that he had no authority to request a pardon or parole for the Ingram woman convicted of murdering a white tenant farmer.

One of the group, Miss Elaine Ross, told the Governor the women were "shocked" at being stopped by state troopers as they neared the prison yesterday. Miss Ross, who said she is connected with the Civil Rights Congress, claimed the troopers were armed.

13c

Talmadge told the women the state was taking precautions against a riot, and commented: "I read that the same group (the Civil Rights Congress) demonstrated at Sing-Sing for Mrs. Rosenberg, a convicted traitor, and we don't want anything like that happening in Georgia."

Upon arriving at the Lovejoy home, the group was greeted at the door by Mrs. Talmadge who told them the Governor was away hunting.

The women waited in taxicabs for the Governor to return.

Decorated Korean Vet To Die In Chair

Supreme Court Upholds Death Verdict

Worker

P. 1

A 24-year-old Korean war veteran will die in the electric chair for the fatal shooting of a white theological student.

Williams Ogletree, decorated vet of the Korean war, was convicted of slaying James Bell May 27, 1952. The Supreme Court has upheld the verdict and the Board of Pardons and Paroles has refused to commute the sentence to life imprisonment.

Atlanta, Ga.

Under Georgia law, the State Board of Pardons and Paroles is the last administrative body empowered to commute death sentences. State officials said yesterday that the execution which has been postponed twice will take place Friday.

At the Pardon and Parole Board hearing on January 7, Ogletree's attorney argued that the veteran was "nervous and shell-shocked." The board refused to commute the sentence on January 9.

The state charged Ogletree shot Bell after the former walked into a Forsythe gas station to purchase a package of gum. The defense did not deny this but set up that Ogletree shot Bell "accidentally" after the white man assaulted him.

Tues. 1-27-53

Ogletree testified at the trial that he bought the gun, turned around and bumped into Bell, adding:

"I said, 'Excuse me.' So at the time he picked up his chair and said, 'Nigger. I'm going to kill you,' like that. He hit me, and I said, 'Please mister don't hit me.' He went like this and said, 'Nigger, I'm going to kill you," and he hit me. I said, 'Please, mister, don't hit me no more' so he knocked me down and the pistol fell out of my pocket. So when he hit me again thats when the pistol went off.

"It wasn't my intention or nothing like that to kill a white man because I know I'm a Negro, and I begged him not to hurt me."

Ogletree had been awarded the Combat Infantryman's badge, the UN ribbon and two combat stars. He was assigned to the 2nd Rangers, 2nd Airborne unit in Koreo.

His mother, Mrs. Luttie Ogletree, testified that at the time of the shooting Ogleree had just returned from Korea and was in a "nervous condition." She observed that Ogletree could not sleep and often jumped up and hollered after slight sounds. She commented:

"He'd say, 'Ooh, ooh, ooh,' and sometimes he'd holler, 'Here they come.'

"He said he had been up against so much in Korea I asked him. He said "Mother, I wouldn't want you to know what I went through with.' He said, 'You can't stand it if you know what I went through with and I wouldn't love for you to know it.'"

The parole board declined to commute the sentence on four grounds: 1) Ogletree was guilty as charged, 2) There was no doubt as to his identity, 3) There were not mitigating or extenuating circumstances and 4) Ogletree was represented by counsel and he was not denied any of his rights.

Georgia Leads Nation With 11 1952 Executions

Constitution

p. 1

Atlanta, Ga.

Georgia led the nation in the number of persons executed in 1952 for crimes punishable under civil law, the Department of Justice announced Wednesday.

Thurs. 4-2-53

A total of 83 persons were executed in the nation and 11 of these were put to death in Georgia. Texas had 10 executions, California nine, and South Carolina seven.

4-2-53

Of the country's total, 71 of the executions were for murder and 12 were for rape. Thirty-six of those executed were white persons and 47 were Negroes. No women were executed.

Jury Clears White Youth Accused Of Slaying Man

Worker

p. 1

BRUNSWICK, Ga. — (SNS) — Race relations have been disturbed in this peaceful Southeast Georgia town by the strange killing of Edward Boney by Robert McHale, 19, white, who was freed of the January 16 shooting in Superior Court last week.

The youth was acquitted Wednesday, May 21, but the backwash of the trial has marred community relationships. The white youth, defended by two Jacksonville, Fla., attorneys admitted having fired in self defense as he went from his home to a nearby dairy farm carrying a .22 rifle to do some rabbit shooting. McHale testified he flashed his light to see a Negro man charging at him, whiskey bottle in hand as a weapon.

Tues. 5-26-53

He stepped into the bushes, then when the victim allegedly kept coming, he fired.

The strange trial of McHale has stirred the community since the youth walked into police headquarters and said he thought he had shot a man.

Atlanta, Ga.

But there were elements in his story, plus a conflicting account by the only other person known to be present that night, that police felt required a trial.

Chief O. E. Burch and other police accompanied the boy to the remote "lover's lane" area, there to find Boney's body not far from where the boy said he shot.

But Chief Burch took the stand as the opening witness for the state which had obtained an indictment charging the youth with murder, and testified there were discrepancies in McHale's story.

SIX BULLETS

Boney died of six bullet wounds over the arms, head, shoulders, and chest, said the chief. However, he agreed on cross - examination that they probably were fired from the front, which would be in accord with the defense statement.

Worker

But the chief said the boy in his first statement said he saw no car there. Yet, when the body was found, said the chief, McHale said Boney ran around a car after he fired. The car was there, a lone bullet hole through the right front windshield, the chief said.

P. 3

Also, he said, no bottle like the one the youth said Bonnie carried could be found. And a woman with Bonney differs with McHale's story, he indicated.

Atlanta, Ga.

NO BOTTLE

Solicitor Glenn Thomas hinted further evidence of discrepancies in McHale's story. The woman there that night, Marilyn Johnson, that the shooting was not brought on by her escort.

STATE'S CASE

The state's case was made up of testimony about apparent discrepancies in the youth's story. Mrs. Johnson, said they were sitting in his car talking when a man's voice said "Hold it." She saw the glint of a rifle barrel, opened her door, and fled. In her flight she fell into a hole, and ran barefooted a good part of the way, she said.

Tues. 5-26-53

The shooting occurred Friday night, and it was Monday before she decided to tell her husband and report the case to police, she said. She knew of nothing that happened after she left but later learned of Boney's death.

That varied from the boy's account that he was first attacked by Boney, testified Chief O. E. Burch and McHale also first said there was no car around that night, later said Boney ran around it after he shot, the chief said.

However, three cartridge cases were found just about where McHale said he stood to fire, said the chief. These were sent to the state crime laboratory for checking with McHale's rifle, and became the state's surprise testimony.

Dr. Herman Jones of the crime lab, saved by Solicitor Glenn Thomas as a rebuttal witness close to the trial's end, said the cartridge cases had not been fired by McHale's rifle.

Jury Clears White Youth Accused Of Slaying Man

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p. 1

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Dat. 5-30-53

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The shooting occurred Friday night, and it was Monday before she decided to tell her husband and report the case to police, she said. She knew of nothing that happened after she left but later learned of Boney's death.

That varied from the boy's account that he was first attacked by Boney, testified Chief O. E. Burch and McHale also first said there was no car around that night, later said Boney ran around it after he shot, the chief said.

However, three cartridge cases were found just about where McHale said he stood to fire, said the chief. These were sent to the state crime laboratory for checking with McHale's rifle, and became the state's surprise testimony.

Dr. Herman Jones of the crime lab, saved by Solicitor Glenn Thomas as a rebuttal witness close to the trial's end, said the cartridge cases had not been fired by McHale's rifle.

Skirting the News Front . . .

Courier

Pittsburgh, Pa.

p. 13

Dat. 8-26-53

Mrs. Rosa Lee Ingram, under a life sentence for the self-defense slaying of a white sharecropper in Georgia in 1947, will be eligible for parole in August of 1955 . . . When **Mrs. Mary Church Terrell** of Washington appeared with a delegation of women at the Georgia capitol last week to ask freedom for Rosa Ingram, an unsuspecting reporter listed Mrs. Terrell as the "white spokesman" of the group . . .

13c 1953

Georgia (Legal Sentence)

Three Long Years, $5,000

Henderson, Free, Thanks "God And NAACP" For Help

BY C. W. GREENLEA

It was a cold, bleak, December night in 1949, when a young Georgia share-cropper and his wife sat huddled close to a pot-bellied stove in the one-room, ram-shackled cabin on a Carroll county farm. The man lifted the lid and threw in another pine knot. All was peaceful and quiet.

Clarence Henderson, then 27 years old, was tired from his day's work. Twenty-five-year-old Lizzie, now pregnant with her third child, went over and tucked the cover around little Sarah Anne, smiling at Clarence, Jr.

"If that boy doesn't stop kicking in his sleep..."

The farm wife's voice froze with sudden fear as heavy knocks on the door and loud voices demanded, "Open up, Nigger, it's the sheriff!"

World

Lizzie cowered closely behind Clarence as he went to the door, shaking with fear. This was Carroll County, rural Georgia, and when "the law" knocked hard on a colored man's door at night time, it had to mean trouble, real trouble.

Sunday
1-18-53

Henderson hurriedly pulled the crossbar from the door and fell back as six white men, flashing lights in his eyes, barged into the room.

P. 1 / 13c

"YOU'RE GOING TO JAIL

A heavy arm pushed Henderson so roughly he stumbled. "Get your clothes on Nigger, you're going to jail!"

Atlanta, Ga

"Jail?" the bewildered tenant farmer looked at his frightened wife. "Jail? What have I?" A huge fist rammed into his mouth and chopped off his question.

"For killing a white man!"

Thus began the long and tortuous three years that Clarence Henderson spent in jail, three times convicted by all-white juries, and three times sentenced to the electric chair!

But Clarence Henderson is alive and a free man today, as if saved by some miracle of fate.

That miracle, according to Henderson's own words, is the NAACP!

Henderson, freed Saturday after being allowed to sign his own bond, whisked out of Carroll County immediately, breathed his first sigh of relief and gave thanks to God and the NAACP.

TRIUMPH FOR NAACP

His release was a triumph for the Atlanta branch, NAACP, which went to the man's rescue, spending approximately $5,000 over the three year period and sticking with the case to the end. It was a triumph and source of pleasure for Attorney Dan Duke, who had been hired by the organization to fight the case through after the Georgia State Supreme Court had ordered the first conviction overturned in July, 1950, and who carried the case to the same court two additional times after Carroll authorities again and again retried him.

Henderson's release was a source of pleasure for Attorneys S. S. Robinson and E. E. Moore, Jr., who fearlessly argued his first trial in the Carroll court and secured his first reversal in the State Supreme Court.

PRAISES ATTORNEY DUKE

Henderson, fondling two-year old Lucretia, who was born while he suffered in the Coweta County jail where he had been taken for safekeeping after his first trial, was generous in his praise for the "great work Mr. Duke did for me."

I want to find Mr. Robinson and Mr. Moore and Mr. Calhoun and all the other NAACP people who kept me from dying and got me free," the man said with tears in his eyes.

Quiet and pensive, he continued, "I've got to find a job now and do something for my family."

Henderson was driven to his home Saturday afternoon where his family had been residing since the Atlanta NAACP brought them here to live following his arrest. The NAACP Women's Auxiliary, headed by Mrs. Geneva Haugabrooks, cared for the family until the Fulton County Welfare Department took over.

Henderson had been arrested in 1949 one year after the October, 1948 unsolved killing of Carl "Buddy" Stevens, a Georgia Tech student who lived with his family in Carrollton, Georgia.

Stevens was keeping a rendezvous with his sweetheart in a lonely lovers' lane on the outskirts of Carrollton when out of the dark rainy night came a person who demanded at pistol point that they indulge in abnormal sexual relations before his eyes.

NO POSITIVE IDENTIFICATION

The woman testified in court that the man "had a voice like a Negro" but she could identify no one positively. She said her boy friend was killed trying to protect her from being raped. x

In 1949 a pistol was found in an Atlanta pawn shop that was finally traced through seven owners to Henderson. Carroll officials said it was the gun that killed Stevens and arrested Henderson.

The case became internationally famous when the Georgia Communist Party rushed to Henderson's defense and hired two Negro attorneys, Robinson and Moore, to defend him.

Judge Samuel Boykin fined Communist Party leader Homer Chase and sentenced him to jail for contempt of court because of circulated leaflets in Atlanta saying that Henderson was being "framed and railroaded to the death chair." He also threatened to fine the Negro lawyers and the Rev. B. J. Johnson of Atlanta on the same charges but finaly absolved them of blame.

The NAACP then entered the case as the Communists withdrew and fought it through with the Negro attorneys and Duke until the final victory.

In the Atlanta NAACP office at 204 Auburn Avenue where branch president C. L. Harper and office secretary Mrs. Reba Greenwood heard the news, Prof. Harper pulled from the files the folder marked "Henderson Case."

Smiling, he wrote "case successfully completed" to the matter that had so touched the hearts of local members of the organization.

And so came to an end the "Clarence Henderson Case," a case which had attracted international attention as an alleged example of Georgia justice—or injustice and persecution.

Board Saves Georgia Vet From Chair

Constitution
P. 11
Atlanta, Ga
Fri. 1-30-53

The State Pardon and Parole Board Thursday followed a request from Flint Circuit Sol. Gen. Ben T. Garland and commuted to life imprisonment the sentence of a Negro war veteran who was scheduled to die Friday in the electric chair, according to chairman Charles Pannell.

The Negro, William Ogletree, was convicted in Monroe County Superior Court last fall in the murder of a white service station operator, William Bell of Forsyth.

13c

Garland telegraphed the parole board and Governor Talmadge that "subsequent events have convinced me that Ogletree did not receive a fair trial."

Leg. Sen.
Ga

The solicitor, who said he "prosecuted Ogletree as vigorously as I ever have anyone," also stated that the jury had reached a verdict long before the conclusion of the trial, in his opinion.

Ogletree's attorneys failed to make a plea for a change of venue at the trial.

The board's decision Thursday was unanimous, Pannell said.

Civil Rights Group Denied Prison Visit

13C

Legal Sentence

Ga

Sat. 1-10-53

Afro-American P. 20

Baltimore, Md.

Gov. Herman Talmadge of Georgia, right. talks with a group of New York women on his farm after the group appealed to him for permission to visit Mrs. Rosa Ingram, serving a life term for killing her white attacker. The group was refused by the Governor on the grounds that it was not within his power to grant such an interview. He further pointed out that visits there were limited by law to relatives and attorneys.

Booker Doomed To Chair On Assault Charge

13C Ga

Legal Sentence

P. 1

Atlanta Ga.

Thur. 3-12-53

BY GEORGE COLEMAN

When Howard Leroy Booker, 33-year-old laborer was sentenced to die in the electric chair yesterday by Fulton Superior Judge E. E. Andrews, he became the second Negro to receive the maximum sentence in two days upon conviction of felonious crimes against white persons.

The trial, lasting the main portion of the day, saw the prosecution ask the all-white jury to put themselves in the victim's husband's place, while the defense declared police had used force to secure a confession which was one of the key exhibits in the trial.

Earlier Wednesday, Aubrey Lee Williams, 27, of 2044 Penelope Rd., N. W. was ordered to be executed on May 1 in the state prison at Tatnall County. He was convicted Tuesday night of the October 4, 1952 slaying of a white liquor store clerk at a Peters Street address. Testimony had pointed out that he robbed the clerk of nearly $800 only to lose it about an hour later in a dice game on Decatur Street.

A few hours later an all-white jury found Booker, a resident of Forrest Park, Ga., guilty of the robbery-attempted rape of a 29-year-old white wife of a veteran, after an hour and a half deliberation.

RECORD CI[illegible]

When he was sentenced he pleaded to the court that "I'm not guilty of the crime." However, Judge Andrews pointed out that he had been recently convicted of attempting to rape another woman. Assistant Solicitor William E. Spence, prosecuting the case, told the judge the girl was white, but Andrews pointed out that the victim's color did not matter, but the crime itself. "You've got a bad record," Judge Andrews said.

MAY DATE

Both convictions were secured by William Spence and both executions were set for not more than 20 days before or less then three days before May 1 between 10 a. m. and 2 p. m.

Booker was charged with attacking the woman January 9, 1952, on a Macon road, cutting her, beating, and stealing her purse. He was brought to Atlanta September 10, and identified in a lineup.

Atty. A. T. Walden, conducting the defense for a second time, pointed out that the outcome of the trial rested upon belief, either in the white woman's statement or the defendant's unsworn statement in which he denied ever having seen the alleged victim.

FIRST TRIAL

The case was tried before in Superior Court January 13, and resulted in a mistrial.

Mr. Walden, in his summary to the jury, deplored tactics he said were often used in securing confessions. He pointed out that a man accused of a crime of which conviction would bring the death sentence would hardly make a signed confession "free and voluntary."

"That just doesn't happen," Walden declared.

He said the defendant had declared the police threatened to kill him if he didn't sign the confession "and we know that often happens," he added.

Thur 3-12-53

A portion of the trial assumed a technical aspect when Mr. Walden cross examined Homicide Detective J. E. Helms, who had conducted the investigation.

TECHNICAL ASPECT

Walden asked the officer if Booker had been informed he did not have to make the statement, to which Helm replied "I believe that Captain Duncan made that statement." However, Helms, said he couldn't be positive.

The lawyer then asked Helms if the suspect dictated the confession. The officer said he did. But Walden's question if he had dictated the first paragraph which said the suspect was making the statement voluntarily and without hope of reward, to which Helms replied, "No."

Helms also pointed out that Brooks had not dictated the final paragraph of the statement in which the confessor explained that he realized police had told him of his rights, and he realized the statement could be used against him later.

13E Ga

However, the officer asserted, the two paragraphs were inserted as a matter of "form" before Booker read or signed the statement. Helms said Booker read the completed statement and "said it was true."

Legal Sentence

Another question arose as to Booker's position in a police lineup September 10 when he was identified by the alleged victim. Walden asked Helms if he had placed Booker at the head of the lineup, to which the officer answered, "I did not. He got at the head of the lineup himself."

DEFENDANT'S STATEMENT

Booker, taking the stand in his own defense, told the judge, "They have me on trial for something I don't know anything about."

He explained that he was taken to the police station "and Helms told me to get at the head of the line."

Booker quoted the officer as saying in the woman's presence, "Now Booker this is your lineup. Get anywhere you want to." The woman then identified him, he said in his unsworn statement.

Booker said he refused to sign a confession and was told, "I'm tired of you making me out a lie. If you make me out a lie again I'm going to beat your eyes out."

The defendant said he was then advised to sign the statement. He said he was then threatened by an officer and declared, "He pulled out a pistol" and said "if you don't sign we are going to take you out and blow your brains out and tell the judge you tried to escape."

Booker added, "I signed."

VICTIM SPEAKS

The white woman told the jury that Booker passed her in a car at night and robbed and beat her. She positively identified Booker as her tormentor, saying she would never forget his face if she lived to be 100.

Torrence Case Defendant Says He Couldn't Read Paper He Signed

Major Bailey, taking the witness stand in his own defense, charged yesterday that he signed an alleged confession upon orders of investigating officers without being told what he was signing, and denied any knowledge of how Mrs. Rosa Torrence came to her death.

Bailey's unsworn statement marked the end of testimonies by counsel for the defense and the prosecution. Judge Ralph Pharr recessed the court until 9:30 a. m. Saturday when arguments by both sides will be heard and the case handed to the jury.

Bailey denied practically every single contention of the prosecution declaring, "Gentlemen of the jury, I swear I didn't do it."

In a slow methodical voice the defendant related his version of what happened on his two arrests by homicide detectives. He told the court that he was kept up late oon his second arrest and questioned repeatedly while he denied slaying Mrs. Torrence.

Bailey, speaking of the alleged confession at state patrol headquarters, said one of the officers asked him if he could read, to which he replied "no," and added that he had only completed the second grade in school. Bailey said he then was asked if he could sign his name, and ordered to "sign your name to this."

Bailey said the questioners told him "If you want to get out of here you sign this," and added that Detectives had released him previously.

The defendant said that after they insisted I just signed the paper. Then they read it to me." He said there was nothing he could do after he was told it was a confession he had signed. He denied a state's witness declaration that he had pleaded, "Boys, be easy with me. Don't be hard."

Bailey declared, "I wouldn't have used that term anyway." He said the officers then took him to the scene and pointed out the places he was supposed to have visited. He said he never directed police to the alleged murder scene.

The defendant returned to the stand twice to make additional statements. He said that statements in the "confession" were untrue concerning his alleged relation with Mrs. Torrence.

He denied having said that he had been giving Mrs. Torrence all of his earnings for 14 years, and asserted, "I'd never give anybody all my money. I couldn't."

He told the court that he had an elderly father in his hometown in Alabama, and "I take care of my father.' He added that he visited his parent once a month.

Bailey said he would willingly do any member of the Torrence family a 'favor,' but that he seldom spent very much time in the house except to sleep. He added, "Sometimes I dont see anybody but Willie Torrence."

The defense put Mrs. Sally Fry, of Opelika, Ala., on the stand, and she testified that Bailey came to visit his father once a month in Alabama.

During his statement Bailey declared, 'I've never done any fighting in my life," and added that he had never been arrested before.

Willie Torrence, husband of the late Mrs. Rosa Torrence, was called to the stand by the defense Friday. He testified that Bailey arrived home about 7 p. m. the night of the alleged slaying.

When asked what he and the defendant talked about, Torrence announced that he and Bailey were not speaking and declared, "He kept up a disturbance in my house for 15 years."

Garland immediately claimed entrapment, saying that Torrence had previously stated that he and Bailey were on the best of terms, and that Torrence had become hostile only after talking with police

However, Solicitor Tanksley told the court that Garland had previous knowledge that Torrence had become a hostile witness, and that the defense was seeking to cross examine Torrence to bring this out. Judge Pharr denied entrapment preceedings.

Seeks Hole In Murder Confession

Defender

P. 5

ATLANTA, Ga. — A defense attorney for Major Bailey, 45-year-old construction worker, on trial for his life in the murder of his landlady, held an Atlanta police detective under cross-examination for six hours last Tuesday in an effort to break his testimony that a purported confession by Bailey was "voluntary."

Chicago Def.

Date 5-23-53

Reuben Garland, the attorney, quizzed Detective J. W. Ellington before Judge Ralph Pharr and a jury until the court was recessed in the late afternoon. He promised to resume the cross-examination on Wednesday morning.

State Prosecutors Carl Copeland and Jep Tanksley have demanded the electric chair for Bailey, who is accused of throwing the body of Mrs. Rosa Torrance into a sewer off Willis Mill Road last Jan. 19.

Detective Ellington identified the purported confession early Tuesday. He swore it was made "without the slightest hope of reward or the remotest fear of punishment." He denied that coercion or promises led to the "confession."

The state is expected also to bring to the stand Dr. Herman Jones, director of the state crime laboratory, who was present at the time Bailey signed. Dr. Jones swore at a previous trial the "confession" was mare freely.

Bailey "Confession" Hit At Murder Trial

Detective Questioned At 2nd Hearing On Torrence Slaying

BY GEORGE COLEMAN

A homicide squad detective who with his partner investigated the sewer slaying of Mrs. Rosa B. Torrence which led to the arrest and arraignment of Major Bailey was under fire on the witness stand for nearly seven hours yesterday as the defense attempted to prove a "confession" invalid.

Detective J. W. Ellington took the stand about 10 a. m. Tuesday to testify to events leading to Bailey's arrest and a "confession" police said the defendant made at State Patrol headquarters.

Under repeated objections from Defense Attorney Reuben A. Garland, Ellington reiterated to Assistant Solicitor Jeff Tanksley, how evidence had been found to show where and how Mrs. Torrence met her death. He declared that the confession was made freely and voluntarily.

STORMY PROTEST

However, Garland, in stormy protest held that Bailey had been offered reward to make the confession. Ellington remained on the witness stand until after 4 p. m., while the two attorney fired questions at him.

Atlanta Ga

The trial was in its second day, after the jury heard evidence until 10:15 p. m. Monday. On cross examination, Ellington admitted to Garland that five police officers, including the chief of detectives and the adjutant, questioned Bailey from 7:30 p. m. to 11:27 p. m. the night of his first arrest.

Wed 5-13-53

MURDER SCENE

Evidence was also brought out that police had visited the alleged murder scene six times before Bailey allegedly conducted them to the place where Mrs. Torrence was reportedly slain. Garland also set up that Bailey was held in jail for two hours without being charged with anything and without a warrant being sworn for his arrest. However. Ellington said this was true only until he could be identified in the line up.

Garland also alleged that police, while seeking to identify Mrs. Torrence's body when first discovered actually knew who she was during an eight hour search for identification.

Garland told Ellington that when he discovered the body in the sewer plant, "You knew it was Rose, didn't you?"

Ellington replied, "I don't remember ever talking to her."

During the day's proceedings Garland was ordered three times by Judge Pharr to cease asking complicated and "argumentative" questions of the witness, who he said could not always understand them.

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5 Held In Death Of Russell Man

2 Charged With Slaying Of Phenix City Figure

BLAKELY, Ga., Nov. 16 (AP)—Five persons were held today as officers pressed investigation of the slaying of a Phenix City, Ala., man Saturday night in a residence here.

James G. Bush, 37, was fatally wounded by six bullets from a .38 calibre pistol after he ran into the home of Henry Crawford, 33, who moved to Blakely from Columbus a week ago.

Crawford and Hal Griggs, also of Columbus, have been charged with murder in the case, Early County Sheriff C. C. Swann reported.

11-17-53

Witnesses Say Man, 47, Shot 60-Year-Old Woman

SAVANNAH, Ga. — A 60-year-old woman was slain early Sunday by a shot gun blast fired by her 47-year-old white neighbor in full view of several other white neighbors, Police Capt. Leonard J. Hallman reported.

The slaying of Mrs. Julia Johnson climaxed a feud that began when Gordon Lanier, 47, of 20 West Waldburg struck a garage in a narrow alley between the two houses. Mrs. Johnson lived at 220 West Waldburg, and only a narrow alley separated the two homes.

White witnesses, who live across the street from Mrs. Johnson, told police they heard loud cursing and argument between the pair. They added they saw Lanier standing on his porch doing most of the swearing, but could not see the woman.

Savannah Ga.

13-5-90

DENIES SHOOTING

Lanier finally stopped swearing, witnesses said, and went back to his house only to return a [illegible] minutes later and fire point bl at the woman.

Lanier at first denied the fatal shooting, but admitted firing the shots after he was told he had been seen. Police said he was charged with murder, although he felt he was justified in killing the aged woman.

"She called me a s. o. b.," Lanier said. "You would have shot her too, wouldn't you?"

Mrs. Johnson's body was found lying face down on a freshly chopped pile of fire wood just outside her back door. Harold Smith, the county coroner, said Mrs. Johnson died of a brain hemorrhage when 12 No. 1 shot entered her brain after striking her in the face.

FISHING TRIP

Police said the suspect and his wife had just returned from a fishing trip, and the wife had gone to bed.

An approximate story of the events leading to the killing were reconstructed as follows:

Lanier, who is a foreman with a concrete company, had an argument with Mrs. Johnson about a week ago when he bumped his auto into his garage, which is located near her house. Mrs. Johnson became momentarily upset when she thought Lanier had rammed the car into her house. However, the arugment ceased when she learned her house had not been struck.

A second argument started when Lanier returned from the fishing trip. Mrs. Johnson was in her back yard chopping fire wood and Lanier was cleaning fish when they argued over rights to the alley to Waldburg Lane. Lanier then got his gun and shot the woman. Police said he would probably be arraigned later in the week.

Police Slay Gunman In Running Battle Here

13-5-95

BY KEELER McCARTNEY

A 50-year-old Negro man was killed Thursday in a running gun battle with police through West Atlanta in which a half-dozen officers narrowly escaped death or injury in point-blank duels, authorities said.

The man, identified as James Ford, of 495 Hunter St., N. W., was felled by a half dozen bullets as he leaped from under a darkened stairway at 21 Electric Ave., N. W., to fire upon two detectives and two uniformed patrolmen, police said.

Constitution

P. 1

When he fell, officers found a fully loaded 38-caliber pistol clutched in his right hand, a heavy metal bar in his left hand and a ice pick in his pocket, police said.

Atlanta Ga.

The Negro apparently reloaded the pistol after exchanging shots with several officers, Detective W. S. Acree and O. W. Jordan said. They added he had several rounds of ammunition in his pockets.

The incident flared suddenly when Negro Patrolman Robert McKibben attempted to quell a disturbance between Ford and a Negro woman in front of 519 Mitchell St., S. W., McKibben said Ford backed out into the street, whipped out a pistol and opened fire at less than 10 feet.

"I pulled my gun and shot three times and it missed fire three times," McKibben said.

Ford fled. A dozen detective and patrol cars raced into the area.

Capt. W. L. Duncan and Lt. I. A. Thomas located the Negro at Hunter and Haynes Streets, S. W. Thomas got out of the car and ordered Ford to put up his hands. He said Ford pulled out the pistol and opened fire again at close range, Thomas related.

Fri.

6-5-50

Thomas emptied his service revolver and borrowed another from Duncan. Ford fled down Ennis Alley, exchanging shots with Thomas as he ran, police said. As the Negro emerged from the alley McKibben and Patrolman A. L. Posey and L. H. Strickland joined the battle.

A short time later, Posey and Strickland, along with Detectives Hubert Reed and Edsel Moore, walked to the house at 21 Electric Ave. As Reed and Moore passed by an outside stairway, the Negro raised up and levelled his pistol, police said. Reed and Moore fired and he collapsed.

13c 1953

ILLINOIS

Murder Charges Faces Boy, 17, In Chicago

Police late Wednesday prepared to formally charge Augustus (Gus) Howard, 17, of 5645 Indiana, with murder in the shooting of Donnie Nunez, 17, of 5636 Prairie, in Washington Park late Tuesday afternoon.

Nunez, grandson of Dr. Sarah E. Nunez, prominent physician who has practiced in Chicago since 1928, was shot in the left temple as he walked with a group of teenage friends near Morgan dr. and Elsworth. The bullet lodged in his brain. Police said they learned the pistol used in the shooting was stolen last Friday.

Donnie Numez

Young Nunez had just completed his junior year at Adelphian Academy Holly, Mich. His father, Don C. Nunez, died in 1944. His mother, Mrs. Nell Wiilliams, has remarried and lives at 6133 Indiana.

Defender

Police said Howard admitted the shooting, declaring the gun went off when he pointed it at Nunez when Howard's 16-year-old sister said, "Donnie is playing around with me." Gus said Nunez, his (Howard's) sister and another teenager were walking behind him and a 14-year-old youth. The youths were on their way home from a softball game.

p. 5

Chicago

The shooting occurred near the park field house and Howard instructed the others to help him drag Donnie from the street into the bushes and to tell the park instructor that "a boy had been hurt." The youth said he instructed his companions not to tell of the shooting.

Sat. 6-27-53

The accused youth said he got the gun from Eugene Shaw, 17, of 5620 Prairie, last Friday at the Park City skating rink.

Shaw was questioned by police and said he stole the gun Friday from a car that had come into the shop at 5638 Prairie for repairs.

Police said the garage is owned by Lawrence Caldwell, of 365 E. 58th st. Caldwell was questioned, officers said, and he explained that a "Mr. House," of 1414 Everett, had reported the **gun missing from a rear seat in his car. Caldwell said House told him it was a war souvenir.**

13c 1953

Illinois - Legal Sentence

Officials Hit Jury Decision Freeing Killer Of Negro

World Wed. 2-25-53

CHICAGO—(ANP)—Three white youths were found not guilty of charges of slaying a 51-year-old Negro, but two public officials were indignant at the verdict.

The three are William Eubank, 18; Harry Nordquist, 17, and Milo Parelli, 17. They had confessed to the ball-bat fatal beating of Waldo Speed.

Immediately after the jury of seven men and five women returned its verdict, Judge Charles S. Dougherty of Criminal Court, and States Atty. John Gutknecht blasted the decision.

13c

The jury deliberated nearly two hours before freeing the youths. Judge Dougherty told the three defendants:

"The jury deliberated nearly two hours before freeing the youths. Judge Dougherty told the three defendants:

"The jury has found you not guilty but that does not mean you have cleaned your slate with The Man upstairs."

Gutknecht was equally as indignant over the verdict. He said:

"If there are spineless, sentimental, or race-prjudiced juries, justice is apt to suffer. ~~I~~ deplore the verdict.

Atlanta, Ga.

"I want to wake up the people of this county. All the criticisms so far have been of public officials and policemen. Basically, there can be no cure until the public accepts its responsibilities. There are too many cases of citizens free in criticizing and failing to perform their public duty."

Defense Atty. Charles Bellows told the jury that Eubank struck the fatal blow in self defense after Speed came after him with a knife. Speed was fatally beaten as he waited for a street car. The youth admitted the attack at the time of their arrests, as well as the slugging of two other men, both of whom were injured. They are scheduled to go on trial April 20 in connection with the latter beatings.

P. 5

The men admitted that their victims had not provoked them in any manner. They contended that they slugged them in retaliation for the stabbing of a friend during a brawl with a Negro although none of their victims had any connection with the stabbing.

One member of the jury supported the verdict on the unusual grounds of self defense. She said in part:

"The jury was impressed by the boys' claims of self defense."

Asst. State's Attys. Samuel Papanek and Lester Shapiro had asked that the death penalty be returned against all three youths.

13c 1953 KOREA (Legal Sentence)

G. I. RECEIVES 15 YEARS FOR SLAYING IN KOREA

SEOUL, Korea, Feb. 8 (AP)—An Eighth Army court yesterday sentenced a private to fifteen years and dishonorable discharge for the carbine murder of a Korean and the wounding of a second.

He was the second American soldier to be tried within a week on charges of "unpremeditated murder" of a Korean.

A few days earlier an officer, accused of beating a Korean pastor to death while searching the home of the pastor's brother for contraband, heard another Eighth Army court reduce the "unpremeditated murder" charge against him to "aggravated assault intentionally inflicting bodily harm."

The officer, 26-year-old Second Lieut. James D. Goff of Dallas, Texas, was sentenced to two years and dismissal from the service.

An Eighth Army official identified the private as Matthew Cobbins, 21, a Negro, of Memphis, Tenn. He was accused of shooting to death a Korean with whom he had argued Dec. 1 when the Korean tried to sell him a bottle of whiskey. The private claimed self defense.

Times
P. 3c
New york
Ny
Mar 9-53

13c 1953

Legal Sentence (LOUISIANA)

'Railroading' of suspected slayer halted by lawyers

Afro American P. 14

13 c

LAKE CHARLES, La. (ANP) —In what is called an obvious attempt to railroad the trial of a suspect charged with the slaying of a white deputy June 2, the prosecution here last week was stopped dead when two white court appointed attorneys challenged the improper inpaneling of the jury.

Defense counsel for Robert L. Sauls, charged with the slaying of the deputy, Albert B. (Ab) Goos, argued that during the July - August summer recess of the 14th district court, no jury could be inpaneled. Judge Mark C. Pickrel agreed.

However, Judge Pickrel denied a motion to quash the indictment against Sauls, whose attorneys contended that the indictment was null and void since the grand jury was called during the summer court recess.

Baltimore Md.

Saul was indicted by a grand jury of Calcasieu parish July 14 for the murder of Goos after a two-hour session. The accused was in the courtroom when the indictment was returned.

Judge Pickwrel appointed two local attorneys, James St. Dizier and Russell V. Norman, to defend Sauls. Defense counsels were told to appear in court the same day with Sauls for arraignment.

It had been scheduled before hand that Sauls was to go to trial July 28, the date on which Judge Pickrel ordered a special petit jury session last week.

'Kills While Handcuffed'

Goos, serving as a deputy sheriff without pay, was fatally wounded June 2 in a field 17 miles from here while investigating a report concerning cattle stealing, following a tip from his son that he had seen a colored man sleeping in a car in a pasture.

Date 8-8-53

Goos took Sauls into custody, but the 63-year-old peace officer it was said, was no match for the 25-year-old prisoner who reportedly killed the deputy while handcuffed and made his escape, abandoning the car which was supposedly stolen in Corpus Christi, Texas.

A posse of several hundred men sought vainly to apprehend Sauls for weeks with bloodhounds aiding in the manhunt that proved futile. Later the FBI took Sauls into custody in Memphis and he was returned to stand trial.

13c 1953

SUPREME COURT DECISIONS GIVEN

Upholds Death Sentence and Jail Term

Times Picayune

The Louisiana supreme court Monday upheld one death sentence imposed following a murder conviction, and one 12-year sentence imposed in connection with the slaying of a police officer, and granted a new trial in another manslaughter case.

P. 10

The capital sentence was that of Eddie Jackson, Negro, convicted before Judge J. Bernard Cocke in criminal district court here, in connection with the shotgun slaying of Frances Foster, Negro, Jan. 6, 1952. The shooting occurred near the criminal courts building after which Jackson walked into the criminal courts building carrying the lethal weapon, and surrendered to police. Associate Justice Sam A. LeBlanc was author of the opinion in the Jackson case.

New Orleans La.

In an opinion by Associate Justice E. Howard McCaleb the high court affirmed the 12-year sentence imposed by District Judge James E. Bolin of Webster parish against C. W. McMullan, convicted of manslaughter of Elton S. Dunn, a police officer of Springhill.

[illegible] 3-5-53

The officer, according to the opinion, went to the McMullan home to remonstrate with McMullan who had chased his wife out of the house by brandishing a shotgun. The stepdaughter of the accused, called as a state witness, testified that she had "bumped into" McMullan and caused him to accidentally fire the gun he had in his hands.

The defense objected to the action of the district attorney in pleading surprise and endeavoring to repudiate the testimony of his own witness. The court did not err in allowing this, the opinion said.

Justice McCaleb also said that the judge was correct in permitting the district attorney to comment on the fact that McMullan's wife, who had witnessed the shooting, had refused to testify in the case.

The case in which a new trial was granted was that of Wallace Cooper, Livingston parish, who was convicted on a manslaughter charge in connection with the shooting of his son-in-law, Bobbie Lynn Haley, in Denham Springs in September, 1951, and sentenced to serve 10 years in the penitentiary. McMullan won a mistrial when tried on an indictment charging him with murder in connection with the shooting.

The new trial, according to Justice McCaleb, author of the opinion, was granted on the grounds that the parish coroner had given unsolicited testimony in stating that the decedent had fallen from his car. The defense was that Cooper had fired in defense of his life as his son-in-law advanced on him.

The trial judge, Warren W. Comish, should not have permitted the coroner's statement to stand, the opinion said.

Louisiana

DA Darden Makes A Point

Weekly

Sat. 8-8-53

LAST week, District Attorney Severn T. Darden, of New Orleans, made history in a letter to Gov. Robert Kennon when he stated, "Wholesale killing of Negroes by Negroes must be discouraged by refusing clemency." The District Attorney's statement came in connection with the Eddie Jackson appeal for clemency in the shotgun slaying of his wife. Jackson has been condemned to the chair.

For years and years, Negroes have been killing each other and have merely been charged with manslaughter. A true bill of murder is usually charged but in the final outcome, persons charged usually "get away with murder."

P. 4B

Mr. Darden, who also said in the letter that "Negroes are entitled to protection like any other segment of our population," becomes the first D. A. in recent years to publicly take such a position.

New Orleans, La.

The times when clemency should be granted in the cases of Negroes who have killed other Negroes are few and far between. Many times these cold-blooded murders occur because the assailants know they will only be charged with manslaughter for killing another Negro. The case is not true when a Negro kills a white person. The charge is rarely manslaughter and the conviction is usually first or second degree murder no matter what the circumstances.

There has been too much killing and not enough severe punishment. If these persons who commit these murders, were made to realize that the supreme penalty must be paid, surely the number of homicides, which statistics last year in Orleans parish showed 50 out of 62 were Negroes, would decrease.

Mr. Darden, who was recently cited by the state NAACP for his contribution in the field of human relations and the impartial administering of his office further believes that "to discourage murdering of Negroes by Negroes we must give full expression to the law or get rid of it." Mr. Darden's comments agree with oft expressed editorial views appearing in these columns.

Mr. Darden, who in the last election won the support of a large segment of the Negro votes on the basis of his promise to fairly and impartially administer his office has to a great extent merited the faith placed in him.

We still feel, however, that a capable prosecuting Assistant Negro District Attorney, thoroughly familiar with the pulse of the Negro community, if appointed now, could be a great asset to Mr. Darden's recently expressed convictions.

NEGRO TRUSTY WHO KILLED WHITE ESCAPEE AT LOUISIANA STATE PRISON FREED OF CHARGES

Black Dispatch

Story of Fishermen That Prisoner Was Offering to Give Up Discredited by State

PHYSICAL FACTS SUPPORT TRUSTY'S STATEMENT

13c

(By James B. LaFourche)

ST. FRANCISVILLE, La. — (ANP) — An attempt to frame a charge against a Negro trusty guard who killed a white escapee last week who had fled the state penitentiary at Angola has gone with the wind.

Sheriff T. H. (Teddy) Martin, investigating for the parish in which the state prison is located discounted the charges of two white fishermen who said they were near when the incident happened, and that the convict was killed while offering to give himself up.

P. 12

Oklahoma City, Okla.

Sat. 9-5-53

The fishermen's story ran this way:

They were running their fishing nets when they noticed a man swimming away from the penal institution.

The guard apparently sighted the escapee about the same time the fishermen did.

The guard fired one shot over the prisoner's head from the top of the bank at a distance of some 100 to 150 fet.

Fearing he would be killed, the convict began swimming toward the bank and for the shore.

The trusty is said to have walked to the river edge and fired a second blast at 30 feet distance, striking the escapee in the head while the latter pleaded not to shoot.

The sheriff when interviewed about the matter said:

"If they knew about the shooting it seems to me they would have notified the proper authorities.

"That guard said he fired three times with buckshot and I believe the third shot the fatal one, **was a warning shot as the first** two were. Only one buckshot struck the convict.

"If the guard had wanted to kill the prisoner and was only 30 feet away, the guard would have blown off the prisoner's head at that close range.'

The guard according to prison authorities sighted the escapee who had wrapped sapplings about him so that he might float the river.

P. Courier
Pittsburgh

The prison warden stated the guard told him he fired two shotgun blasts over the prisoner's head and ordered him to return ashore. The third blast was fired only when the convict indicated that he was not returning.

A coroner's jury held that the prisoner was "killed while trying to escape."

Sat. 9-5-53

It was later learned that the fishermen had been prompted by a vindictive white man who had tried and failed to get a job at the state penitentiary.

Instill Respect For Law In All Men

LOUISIANA courts again last week proved to the world that the life of a Negro is cheap in that a 19-year-old youth, who shot and killed a 25-year-old father of three, was found guilty of manslaughter. We can't help but wonder, how does a Negro have to kill another to be charged with murder?

Weekly

In the past 25 years there has been only one case of a Negro murdering another and paying the supreme penalty of his life. However, such is not the case of a Negro killing a white or even committing a lesser crime against his white brother. He has on numerous occasions had to pay with his life though not proven guilty.

New Orleans, La.

If a white kills a white here, he gets the book thrown at him and that's the way it should be, but let a Negro kill another Negro, no matter how cruel or hideous the crime may be, the verdict usually reads manslaughter. This is brought about because some smart attorney will play on the jurors' conscience with that outmoded thought of "Negroes are quick tempered, he killed him in self defense." This in most cases will bring about a quick acquittal.

Sat. 12-5-53

P. 6

Such practices as these definitely do not build respect for law and labels the Negro race as "different" Americans.

Bearing this out we can't help but recall the number of cases in which Negroes have paid the supreme penalty for the alleged rape of whites and yet not one white that has misused the women of the Negro race have been made to suffer the same punishment.

Florida however, recently deviated from the usual trend of Southern justice, though not a rape case, it sentenced a prominent white man to life imprisonment for killing a Negro during an argument over payment for a car washing job.

We see no way possible to raise the standard of our community and make our streets safe to walk on, unless we instill respect for the law in all men. The weight of justice should fall equally upon all offenders. Let's not have one law for a white killing a white and another law for a Negro killing a Negro.

13c 1953

MARYLAND

Youth, Man Deny They Committed Md. Murders

N. Y. Boy, 17, Says He's Not Woman Killer

Afro-American

P. 8

2 Annapolis Men Convicted Of December Slaying

Baltimore

BALTIMORE

Robert Lee Terry, 17-year-old Brooklyn schoolboy, indicated through his attorney, W. A. C. Hughes, on Wednesday that he will plead not guilty to a charge of fatally stabbing Miss Lenore M. Naylor, librarian, when he goes on trial in Youth Court Feb. 18. Sat. 2-7-53

On the same day, this week, Albert Lamkin, 38 - year - old Newark man, charged with the ax-slaying of two elderly Garrison, Md., women also pleaded not guilty through his court-appointed attorneys Harry A. Cole, Robert Watts and Bennett B. Cockey, white.

His trial is expected to be set early in February. 13c

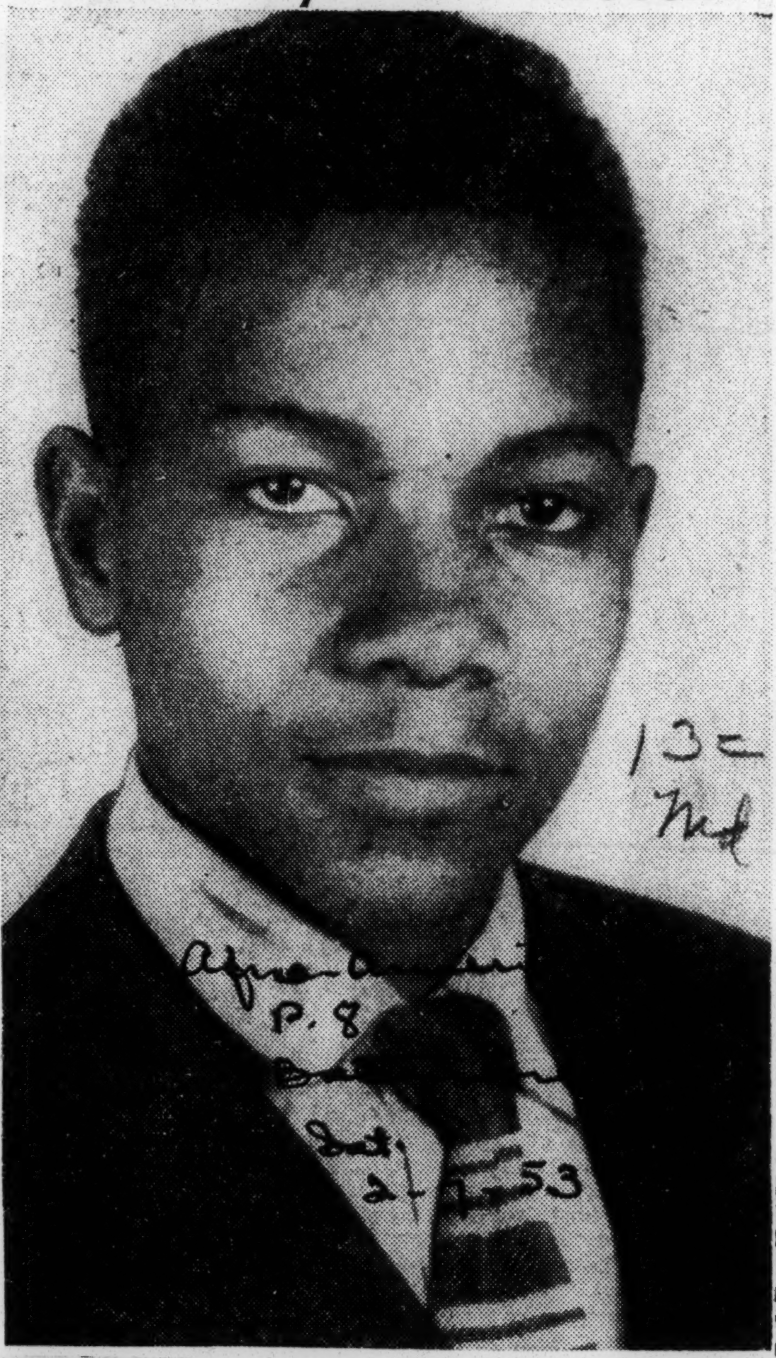
Annapolis Man Convicted

Again, on the same day, an all-male, white jury deliberated just 45 minutes before returning a verdict of guilty in the Annapolis trial of George F. Tolson, 27, for the murder of James Bassford, a 77 - year - old white Anne Arundel county farm hand.

Tolson, a resident of St. Margaret, Md., was one of three defendants charged with the slaying which occurred on December 14.

Buster N. Day, 34, of Jones Station, was also found guilty of first degree murder in the same slaying by an all-male, all-white jury late Wednesday.

Mother Says 'He's Innocent'



13c Md

Afro-American P. 8 Baltimore Sat. 2-7-53

Robert Lee Terry, 17-year-old Brooklyn youth who came to Baltimore seeking work shortly after Christmas, will face grand jury action on Tuesday on charges that he robbed and fatally stabbed Miss Eleanor Naylor, 60-year-old Pratt library worker last week. The youngster's mother, who arrived in Baltimore on Sunday insists that he is innocent.

3rd Man Faces Trial

The third defendant, Willie Washington, 29, of Selma, Ala., is scheduled to go on trial in Circuit Court today (Friday).

Terry the young Brooklynite who came to Baltimore seeking work shortly after Christmas was arrested on Jan. 22, the night after the fatal stabbing of Miss Naylor, by Patrolmen John Boyle and Leroy Moody.

The officers reported having noticed him acting suspiciously in the neighborhood of the slaying, where they were maintaining a vigil, and of having found a 6-inch blade knife on him.

Clothing Held

Clothing found later at the home of his sister, Mrs. Annie Walls of the 700 block S. Hanover st., is being held in the police crime laboratory.

The accused youngster appeared before Magistrate William F. Laukitis at Central Police Station on Jan. 24, and was ordered held without bail.

Miss Naylor, head librarian at the Enoch Pratt Edmondson Village branch, was accosted and stabbed five times as she parked her car near the intersection of Mt. Royal and Lafayette aves., on the night of Jan. 21.

Description Given

Before she died at Maryland General Hospital, she told police a man about 35 years old, wearing a plaid jacket and cap, very dark and weighing about 185 pounds, had robbed and slashed her.

A city-wide alarm which resulted in the arrest of some 25 persons and the extensive questioning of at least 10 persons followed.

The slaying for which Lamkin, a former Sparrows Point steelworker, will face trial occurred on Jan. 6 at the historic, 200-year-old Craddock Manor near Trentham.

Crime Reconstructed

In reconstructing the crime of which Lamkin is accused, authorities say that the suspect entered a barn on the Craddock places unnoticed before nightfall, built himself a fire and drank a bottle of beer.

After midnight, Lamkin is alleged to have entered the house through a dining room window bent on burglary.

He became alarmed, police say, when he stumbled into the third floor bedroom of Mrs. Pearl Harmon, housekeeper for Miss Katherine Craddock.

Alarmed By Screams

The housekeeper's screams aroused the rest of the household, including Mrs. Jessie Stockton and Miss Craddock, but by the time they reached the bedroom, the assailant had struck the housekeeper with an ax, and then turned on them.

Both were struck by the prowler, who escaped through a window at the rear of the house.

Shortly after the attacks were reported to police, Lamkin was apprehended at a Reisterstown rd. roadblock near the scene of the crime, driving an automobile that had been reported stolen.

Two Women Die

The three women were admitted to Union Memorial Hospital where Mrs. Stockton died after three days and Miss Craddock died after five days.

Lamkin was arraigned before Judge J. Howard Murray in Circuit Court at Towson, who commented in selecting counsel for him that he wanted the suspect to "have the best representation possible."

The crime for which Tolson and Day have been convicted was apparently without a motive that has not been established so far.

The slain man was found outside his home near Severna Park on Dec. 15, badly beaten and suffering from exposure. He had $410 in his pockets.

All three men arrested in the case contradicted each other in their testimony.

Tolson testified in his own behalf that Day had asked Bassford about buying a chicken. But Washington had testified earlier that Day and Tolson confronted the elderly farm hand in front of his home about the purchase.

17-Yr.-Old Suspect's Mother In Statement

Youth Held In Slaying Of Librarian Not Capable Of Crime, Says Parent

Afro-American

P. 8

13 C

Baltimore Md

Sat. 2-7-53

BALTIMORE

A grief stricken mother from Brooklyn New York arrived in Baltimore Sunday morning, with the hope of clearing her teenage son who has been charged with the savage slaying of a 60-year-old white librarian.

The mother of the accused slayer, Mrs. Juanita Terry of the 600 block Gates ave., in Brooklyn, arrived by train at 9 p.m. Sunday and went directly to the city jail where she was denied permission to see Robert Lee Terry until 1 p.m. yesterday.

The 17-year-old ex-vocational high school pupil who dropped classes last year to help support his mother after the death of his father, was charged in Central District Court Saturday with the murder of Miss Lenore M. Naylor.

Police have indicated that they are sure they have the right man.

Intensive Manhunt

The arrest of young Terry by Northwestern Patrolmen Leroy Moody and John C. Boyle, brought a climax to one of the most intensive manhunts launched by the Baltimore City police department in over 12 years.

More than 10 men were held at one time for questioning at the Northwestern station house alone. It is reported that 24 persons were picked up and questioned.

As late as Sunday, the legal aspect of the case against Terry had progressed to the extent that State's Attorney Anselm Sodaro announced that he would attempt to send the case before the Grand Jury sometime today (Tuesday).

Quizzed Terry

Mr. Sodaro took part in the extensive questioning of Terry Friday along with Northwestern Police Captain Millard B. Horton.

Without counsel representation, the accused boy appeared before Magistrate William F. Laukaitis at Central Saturday and was ordered held without bail.

Terry appeared for the hearing wearing a brown polka dot shirt, a leather aviator jacket, and brown trousers. The clothing which he allegedly wore at time of the attack on Miss Naylor is in the police crime laboratory.

Declined to Testify

A 5 feet 7-inch light brown-skin lad with brown hair who has the appearance of a high school freshman, Terry declined to testify at the preliminary hearing.

In an interview at her daughter's home Sunday in the 700 block of S. Hanover st., Terry's mother declared "They are trying to frame my kid."

"Robert is not capable of doing such a thing," she stated.

Police stated when the city-wide search was at its height that Miss Naylor's slayer had been "well described" as being about 35 years old, weighing 185 pounds and "very dark."

Young Terry in no way approximates this description, members of the family have hastened to point out.

"A Working Kid

Mrs. Terry said that her son has always been a "working kid" and has never been in any trouble before.

Until the latter part of December, she declared, he worked in a lamp manufacturing company in Brooklyn to help support her.

He came to Baltimore on the 26th of December to find another job after a group had been laid off at the plant.

Sought Employment

Terry's sister, Mrs. Annie Walls, declared that only last week they had gone together to a Baltimore rubber goods plant seeking employment.

Since the youth is only 17, she stated the company refused to hire him on the spot, but they did give him some papers to fill out and told him to send to Brooklyn for his birth certificate and then come back.

"Robert didn't do it," she declared. "I want the guilty punished and the innocent free—I want my brother free," she declared.

Police Took Clothing

Mrs. Walls stated that following her brother's arrest, police came to her home and took away his clothing. She was also taken to Northwestern District, she said, where she was questioned about her brother's activities.

While there she continued," they took me into a room where a group of policemen were questioning Robert. They were trying to get him to sign a statement.

I asked him about the case in their presence."

In recounting the quizzing Mrs. Walls declared that she told her brother, "Robert look at me, did you do it?"

"No," he answered.

"Didn't Need Money"

On Sunday relatives of the accused teenager said that the youth did not need money to return to Brooklyn. "If he had wanted it we would have given it to him," his sister asserted.

When asked about the ownership of a black umbrella which wass allegedly found near the scene of the attack, the family stated that "Robert didn't own an umbrella."

In an effort to win freedom for the accused boy the family declared that they had an appointment with a "well known attorney" for tomorrow. They declined, however, to name the lawyer.

The assistance of the NAACP will also be sought, they stated.

"Wanton Slaying"

The crime with which young Terry has been charged is said by many to be one of the most "wanton slayings" ever committed in Baltimore.

The attack occured last Wednesday night when the 60-year-old Miss Naylor, head librarian at the Enoch Pratt Branch Library in Edmondson Village, was accosted and stabbed five times on Mount Royal ave. near Lafayette.

Funeral service for Miss Naylor was attended by more than 250 persons at the Protestant Episcopal church on Friday.

On the day of the funeral flags at both the downtown Enoch Pratt Library and the Edmondson avenue branch were lowered to half mast.

LIBRARIAN'S SLAYING SET OFF CITY HOWL:

First-Degree Murder Is Verdict Against Boy, 17

13C Md

Afro-American

p. 1

Baltimore, Md

Feb 3 28-53

BALTIMORE

A 17-year-old Brooklyn, N.Y. youth, Robert L. Terry was found guilty of first-degree murder Friday morning by two judges who deliberated only 15 minutes after a 2½-day trial.

Terry was convicted in the fatal stabbing of Miss Leonore Naylor, 60-year-old white library executive on January 21, a murder which set off a city-wide howl of a "crime wave." Local newspapers played up the slaying sensationally.

Chief Judge W. Conwell Smith and Judge Charles E. Moylan, who heard the case postponed sentence pending a medical examination of the convicted youth. Terry's main defense counsel, W. A. C. Hughes Jr., announced he would file a motion for a new trial. Terry faces death by hanging or life imprisonment.,

Parade Of Witnesses

A parade of 26 state's witnesses testified against the youth and at the close of Thursday's session the two judges admitted as evidence a 13-page written but unsigned statement in which Terry confessed the murder while committing a robbery which netted him only 50 cents.

The majority of these witnesses, including State's Attorney Anselm Sodaro, Police Inspector Oscar Lusby and Captain Millard B. Horton, were police officials who sought to show that no promises nor threats were used to influence Terry to make either a verbal or written confession.

Mr. Hughes contended that while Terry was never actually mistreated, he was intimidated by constant questioning and by not being permitted to talk with anyone other than policemen until after the confession was made.

Knife Against Neck

Terry testified that the police at the Northwestern police station "kept nagging me and nagging me." He said Sgt. Joseph Haegerty smacked a blackjack against his palm and rubbed it across his (Terry's) head. The youth also said that Officer Leroy Moody, a colored policeman who was one of two who arrested Terry, drew a knife across his neck, saying "let me see if it's sharp."

On both direct and cross-examination Terry denied repeatedly that he stabbed Miss Naylor to death. He also denied taking police on a trip to the scene of the killing. "I didn't take them—they took me," he said.

Deny Clemency To White Woman Who Accused Negro

JACKSON, Miss. — (ANP) — Two prosecuting attorneys who got a conviction against a white Delta Socialite for murder of her mother in 1949 have refused to recommend clemency for her. She claimed that an unidentified Negro did the slaying.

The attorneys, Stanny Sanders, prosecuting attorney for Indianola county, and William McIlwain, prosecution attorney for Washington county, told Gov. Hugh White that they, "have at no time recommended and do not now recommend a parole, pardon or suspension" for Mrs. Ruth Dickens.

P. 2

Atlanta

The stand taken by the two prosecuting attorneys was prompted by a statement by Gov. White that "sentiment has changed in her favor."

The governor stated that he had received numerous petitions for clemency signed by prosecutors, judges and jurors.

Dai. 3-20-53

Although before and during the exciting trial Mrs. Dickens stuck to her statement that she saw a Negro flee the home as she entered it, neither the populace, law officers nor prosecuting attorneys ever gave belief to her story.

No Negro was ever arrested in connection with the slaying of Mrs. Dickens' mother, and bloodhounds brought to the scene picked up no scent. Laboratory tests made by the FBI, Washington, D. C., said that strands of hair taken from beneath the fingernails of the slain woman, were identical to that on Mrs. Dickens' head.

Justice In Mississippi

Justice is making progress in Mississippi. A white man has been found guilty in the attempt death of a Negro woman. The case, which occurred back in 1951, took an all-white Circuit Court jury only eight minutes to find a white employer guilty of attempting to kill his Negro employee. The man was sentenced to serve 10 years in the state penitentiary. A Negro man, alleged to have helped him in the crime, is already serving a 10-year sentence. He was brought to testify in the case at a recent court hearing.

The details of the case are relatively unimportant judging from the recent trend of things in Mississippi. There was a time when a white person would hardly be brought to trial in a case involving a Negro. The state has stood out foremost for its cases of brutality and acts of injustices against the Negro. But today, we find new light being thrown on conditions in the state. There seems to be more of an effort on the part of intelligent white people to work for justice for all. The fact that this all-white jury took as little time as possible to find this man guilty of a crime, shameful in the eyes of any civilized region, is indicative of the trend of justice in the state. It also represents that Mississippi is coming of age and people no longer are going to be content with the dictates of their emotions against that of logic.

6-27-53

Atlanta, Ga

When a white person is allowed to go free when he commits a crime against a Negro, society becomes the greatest loser. A criminal set free, regardless of race, is a menace to decency. Law and order becomes less effective and the people, not the Negro, suffers most. Southern justice should take serious note of what is being done in Mississippi.

P. 6

The state should be commended for its new approach to justice. The demonstration on the part of the Circuit Court is one which highlights the trend of justice in the future . . . not for some of the people, but for all of the people.

From Across the Nation

White Man Gets 2 Years For Killing Negro

Vicksburg, Miss. (ANP).—Not satisfied with receiving only two years for killing an 18-year-old Negro, D. B. Greer, white, announced through his attorneys, that he will appeal the case. Greer, for whom the state prosecution had asked the death penalty for the slaying of the youth, was convicted of manslaughter with a recommendation by the jury for mercy.

P. 1

Sat. 8-15-53

Jury Finds White Man Guilty Of Murder Attempt

Black Dispatch

Oklahoma City, Okla.

Sat. 7-4-53

JACKSON, Miss. — (ANP) — Deliberating only eight minutes, a 15th Circuit court jury last week found a white employer guilty of attempting to kill his Negro employee.

P. 9

The jury returned a guilty verdict and Judge Dale sentenced Rob Lee to 10 years in the state penitentiary for attempting to kill Miss Hattie Lee Barnes, a maid at his night club.

Acording to testimony presented at the trial, Lee shot Miss Barnes three times and then ordered a colored man to "finish her off." The attempted murder occurred June 15, 1951.

The Negro ordered to finish her off now is serving a 10-year sentence in the state penitentiary. He is Walter Watson who was brought here last week to testify in connection with his part in the crime.

According to Watson's version of the murder attempt, he and Miss Barnes stopped at Lee's club after touring several clubs. He said Miss Barnes "went around to the back and Lee followed her."

He testified he heard three shots fired and Lee then came back and told him:

"I shot her. Go around and finish her off."

Watson testified that Lee then threatened to kill him if he did not and he went behind the night club where he found Miss Barnes unconscious. He returned and told Lee she was dead, he said. He later was arrested for the crime.

Miss Barnes said on the witness stand she "'didn't know" why Lee shot her. Lee did not take the stand.

INDICT JUSTICE OF THE PEACE IN NEGRO SHARECROPPER SLAYING

P. 1

10-24-53

Rosedale, Miss., Oct. 20 (Special) —Justice of the Peace J. G. Thomas of Benoit was indicted by a Bolivar county grand jury for murder in the shooting of a Negro sharecropper over a $37.50 grocery bill. Dist Atty John Crisler of Clarksdale said he would ask district judge E. H. Green to set date for next week. The judge is out of the stae and will not return until Thursday.

Jackson

Thomas is charged with the slaying of Claude Johnson last April. Crisler gave this account of the incident: Johnson, a sharecropper who charged his groceries until harvest, entered Thomas' store with his family to buy candy for the children.

While there, he and Thomas argued and Johnson left the store. Thomas followed Johnson and the shooting followed on the sidewalk. A coroner's inquest a few days after the shooting, Thomas was discharged and no action was taken.

Advocate

Sat. 10-24-53

The State Council of Negro Leadership has been taking an active interest in the case.

Justice of Peace Go Free For Shooting Miss. Negro

ROSEDALE, Miss. — (ANP) — Despite a widow's unshaken testimony telling how a white grocer-justice of the peace shot her husband to death last April, an all-white Mississippi jury took only 10 minutes to free local Justice of the Peace J. G. Thomas of murder.

Blank

Thomas was cleared in connection with the death of Claude Otis Johnson, a customer who owed the killer a $37.50 grocery bill.

P. 7

Mrs. Sallie Mae Johnson, widow of the dead man, told the court that Thomas first warned her husband about his grocery bill on the night of April 25, then followed him down the street, and began shooting him.

The defense attorneys were unable to break down her testimony in cross examination.

In pre-trial selection of the jury, many prospective jurors were dismissed because they would not be willing to convict a white man of killing a Negro.

Memphis Tenn.
Commercial Appeal
P. 1
Mar. 3-3-53 13c

LUCKY MAN—Feeling well enough to puff on an ever-present cigar, W. A. Durdin, 28, constable at Horn Lake, Miss., shows his wife the place where a bullet ripped through his chest, emerging from his back. Mr. Durdin drove 14 miles to Methodist Hospital here after being shot by a Negro he was trying to arrest for drunkenness.

—Staff Photo

Bullet-Torn Officer Describes Agonized Trip: 'Had To Do It'

"It wasn't so much that I had a bullet hole in me . . . I was more afraid that they'd shoot me again, and I knew if I was going to live I had to talk them out of itand get to a hospital."

Those were the words yesterday of W. A. Durdin, 28, a constable at Horn Lake, Miss., who was shot in the chest early yesterday morning by a Negro he was trying to arrest for drunkenness.

Doctors at Methodist Hospital, where he was reported in good condition, told Mr. Durdin his feat of driving at 14 miles to the hospital after he had been shot was "amazing."

"Just Had To Do It"

"I don't know how I managed to get here," Mr. Durdin said. "But I remember something in my mind kept telling me I just had to do it."

The Negro who shot the constable was with another Negro man and two Negro women when Mr. Durdin, who lives near Highway 51, about three miles south of the Tennessee-Mississippi state line, was called at his home and told there was a car of drunken Negroes on the highway.

"I got up about 1 a.m. and started out," Mr. Durdin said from his hospital bed. "About 15 minutes after I had been on the highway a car ran me off the road, and I gave chase. When I stopped them, the driver got out and started sassing me. I was reaching for my blackjack when he knocked me down and managed to get my pistol. Then he shot me.

"I must have laid there 15 or 20 minutes pleading with them not to shoot any more, and finally I just told the man with the gun that I had to get to the hospital."

Mr. Durdin said the Negro with the gun then told him to get behind the wheel and they would all ride to Memphis with him. He said when they reached Bellevue and South Parkway the Negroes ordered him to stop. The man with the gun, riding in the front seat, got out and started to let the others in the back seat out.

Made His Escape

"When the women got out and were standing beside the man with the gun, I threw it (the car) in gear and took off," Mr. Durdin said. The second Negro man was still in the back seat when the constable reached the hospital, but fled while the officer told hospital attendants to call the police.

Memphis police said last night they were holding a Negro man and his wife in connection with the affray. Police identified them as Jesse Merriweather and Elizabeth Merriweather of Hernando, and said they were with the Negro who shot Mr. Durdin.

At Hernando, Miss., Sheriff J. J. Elmore said he had taken two Negroes into custody for questioning. He declined to identify them.

Sheriff Elmore praised Memphis police for their "excellent co-operation."

Commercial Appeal
3-3-53
P. 1
Memphis Tenn.

Edwards Negro Citizens More Fearful Than Ever As Town Watchman Returns To Duty

13c

EDWARDS, Miss., Jan. 7.—(DSN) — Negro citizens of this small town, twenty-five miles from the state's capitol in Jackson, are reported as being more fearful than ever since the Town Watchman Cox was restored to duty here this week.

Cox, who holds a job as night watchman with police powers by appointment of the Town Board, was relieved from duty a few days ago after he had been charged with shooting to death a 19-year-old Negro youth after putting him in jail, who he had arrested on the charge that he heard the youth cussing while walking down the railroad track during the night.

The shooting a few days ago was the second young Negro that Watchman Cox is charged with shooting to death during the year

Advocate
P. 1
Jackson Miss.
Jan 1-10-53

Negro Soldier Confesses Murder Of Louisiana Man, Leads Authorities To Body

BAY ST. LOUIS, Miss. (AP) — A 21-year-old Negro soldier, who calmly told police he shot a New Orleans real estate broker five times, faced a charge of murder here today, Hancock county sheriff John Egloff said.

A coroner's jury returned a verdict last night which said Kenneth L. Mason, 31, of New Orleans, came to his death on April 2 by shotgun wounds inflicted by PFC Mack C. Lewis.

Egloff said Lewis, who was arrested in Petersburg, Va., while driving the dead man's late model convertible, sat calmly in his cell in the Hancock county jail here reading the Bible.

The body of Mason, who has been the object of a search by the FBI and state police of Louisiana and Mississippi, was found late Thursday night near Pearlington, Miss., on the Mississippi-Louisiana state line. The body was found in a wooded area about a mile north of the U. S. Highway 90 which runs along the Gulf of Mexico.

Lewis led detectives, who were returning hom to New Orleans, to the body of the real estate agent.

He told police and newsmen that he shot Mason, who had picked him up in New Orleans, after robbing Mason of $35 he said after firing five bullets from a .25 caliber automatic into Mason's body, he fled in the dead man's convertible.

Lewis was arrested in Petersburg last Sunday after an 80 to 90-mile an hour automobil chase through Virginia's Prince George County. He had been charge with speeding and reckless driving in Petersburg. He was being returned to New Orleans on charges of possessing a stolen automobile.

Lewis, who said he was on a 15-day furlough from Ft. Bliss, Tex., told police he was on his way to Buffalo, N. Y., to visit his wife and their new-born baby.

New Orleans Police Supt. Joseph Scheuering, who headed the search for the missing man said Lewis volunteered to lead detectives returning him to New Orleans to the dead man's body. Previously, he denied any knowledge of Mason and said the car in which he was arrested in Virginia had been loaned to him by three Negroes in New Orleans.

Scheuering said Lewis told this story:

He hitchhiked a ride with Mason on the outskirts of New Orleans As they drove past Pearlington he drew a gun and forced Mason to stop and walk down the lonely side road.

P. 1
Jackson Miss.
4-11-53
13c

CRAZED NEGRO SLAIN AFTER TWO KILLINGS

Also Attacked Housewife In Wave Of Terror Near Sturgis, Miss.

Commercial Appeal
P. 1
Memphis Tenn.

By HARRY COLE

Special to the Commercial-Appeal

STURGIS, Miss., June 4. — A crazed young Negro farmer died in a gun duel near here Thursday after killing two white farmers, attacking a white housewife in a second home and driving occupants from a third house.

June 6-5-53

The three deaths occurred during a one and one-half hour wave of terror in the Morgantown community five miles southeast of here.

Killed Aged Father, Son

Deputy Sheriff Bill Harpole o Oktibbeha said Odom Smith, 30-year-old Negro war veteran, was killed a few minutes after he had shot and killed 80-year-old Oliver Shar pand his son, Lonnie Sharp, 61.

Mr. Harpole said Smith was killed at 10:30 a. m. by Barratt Morgan after Mr. Morgan and his brother, Frank Morgan, were fered upon by the Negro from a wooded hideout near the Sharp home.

The deputy said the Negro was firing a shotgun belonging to Oliver Sharp. Pocketbooks and personal papers belonging to the two white victims were found on the slayer's body, he said.

House Was 'A Mess'

The deaths of the Sharps were discovered by neighbors who went to the house after they noticed the Sharps failed to appear after the gun duel began across the road from their house.

Mr. Harpole said the Sharp home "was a mess." He said "beds were overturned, drawers pulled out from dressers and dumped on the floor, and papers strewn all around."

The Morgan brothers were fired upon as they searched the neighborhood for Smith after a brutal attack on Mrs. C. C. Gatlin at her home a half-mile away, Deputy Harpole said.

He quoted Mrs. Gatlin as saying Smith broke through a back screen door about 9:30 a.m. as she was doing her housework.

Girl Shot Him in Leg

Mr. Gatlin was in the field at the time, the housewife said, and the couple's 16-year-old daughter, Nan-elle Gatlin, was ironing in a front room.

Deputy Harpole said the daughter picked up a .22 caliber rifle and shot Smith in the leg as the Negro and her mother struggled. He said she then ran into the field to get help from her father, but Smith had disappeared when Mr. Gatlin arrived.

Mr. Harpole said Mrs. Gatlin and daughter were "pretty shaker ,," but not seriously injured.

Investigation of the incidents re-ealed Smith broke into the home f James Gray after leaving the atlin house, Mr. Harpole reportd. He said the killer "tore up" ne room of the Gray home after Irs. Gray and her three young aughters fled into the nearby oods.

Mr. Harpole commended the heroism" of Mrs. Gatlin and her aughter.

6-5-53

'Suddenly Became Crazy'

He quoted Smith's father, Grant Smith, about 60, as saying Smith "suddenly began acting crazy" about 8:30 Thursday morning. The elder Negro said the son fired at him with shotgun and then disappeared.

Deputy Harpole said he is holding Grant Smith without charge for questioning concerning the son's actions before the attacks. He said Grant Smith had no connection whatever with the incidents.

Justice of the Peace R. L. Whitmire of Sturgis exonerated Barrat Morgan Thursday afternoon of any guilt in connection with the slaying of Smith, calling the act "justifiable homicide."

135

Oliver Sharp leaves another son, Fletcher Sharp of Sturgis; two daughters, Mrs. Ernest Collier of Arkansas and Mrs. Earl Hunt of Sturgis, and a brother, Ernest Sharp of Sturgis. Funeral arrangements for the Sharps are incomplete, with Weaver Funeral Home of Ackerman in charge.

TWO ARE SLAIN BY BERSERK MAN

Times Picayune

Negro Is Killed After Terror Reign

P.1

New Orleans

La.

Fri 6-5-53

STARKVILLE, Miss., June 4 (AP)—A Negro man was slain today after he had robbed and killed two men, shot at another, beat two women and terrorized a community about 15 miles southwest of here Thursday.

Sheriff Bill Harpole identified the attacker as Odom Smith, 28-year-old Negro, and the dead as Oliver Sharp, 85, and his son Lonnie Sharp, 61, farmers in the Morgantown community.

Harpole said Mrs. C. C. Gatlin and her 16-year-old daughter, Monnell, were beaten, neither seriously. Smith also shot at his 60-year-old father, Grant Smith, but missed him.

135

Sheriff Tells Story

Harpole said Smith was killed by Barrett Morgan, about 46, and that a justice of the peace court ruled the death justifiable homicide.

The sheriff gave this version of an hour-long chain of events which began, he said, after Odom Smith apparently went berserk:

Smith became involved in an argument with his family and shot at his father who fled into nearby woods. The man then went up the road and entered the home of C. C. Gatlin and began beating his wife. Monnell Gatlin shot the Negro in the leg with a .22 rifle and then fled with the man pursuing her.

Sharps Killed

The girl climbed on a tractor and started for help. The Negro beat her on the head with his fists before she escaped.

Smith then went to the home of the Sharps, found Lonnie Sharp by a barn and robbed him of about $7 after beating him unconscious with a piece of iron. He entered the house and was tearing up the furniture when the elder Sharp found him.

Smith took the farmer's shotgun and killed him. The son regained consciousness, entered the house and was killed.

Smith Shot

Smith then went to the nearby home of James Gray. Women in the house, who had heard gunfire, fled into the woods after Smith called, "Wait, you-all come down here. I want to see you."

Morgan, one of the men hunting Smith, came upon him at this point and shot him.

Morgan was taken to Justice of the Peace R. L. Whitmire at nearby Sturgis where the justifiable homicide ruling was given.

TRIAL OF SLAYING SUSPECT OPENED

Times Picayune

Coroner, Constable Heard After Jury Completed

P.18

(Special to The Times-Picayune)

BAY ST. LOUIS, Miss., Sept. 29—Two witnesses were called Tuesday as the murder trial of a Negro serviceman, who is accused of a hitchhike murder killing of a wealthy New Orleans contractor, Kenneth Mason, got under way here.

New Orleans

La.

Wed. 9-30-53

Circuit Court Judge Leslie B. Grant recessed court at 5:30 p. m. Court will convene Wednesday at 9 a. m.

The Negro, Mack C. Lewis, 21, of Buffalo, N. Y., sat quietly and listened intently as constable N. G. Dean of District One in Hancock county and Dr. Nicholas Chetta, coroner of Orleans parish gave testimony.

Dean told how he was called out on the night of April 10 to look for a body near the Pearlington road leading to Highway 90. He said he found the body at 8:30 p. m. and turned it over to coroner Emil Piazza of Bay St. Louis.

Chetta explained to the jury his findings after receiving the body from Piazza.

This was the second day of procedure in the trial. Monday and most of Tuesday defense attorney William K. Stewart of Poplarville, district attorney Boyce Holliman and prosecuting attorney Dan M. Russell of Bay St. Louis examined 136 men before a jury was finally selected.

13c 1953 Missouri (Legal Sentence)

Grandfather Given 12 Years In Murder Case

13c Mo

A 58-year-old grandfather was found guilty of second degree murder in the fatal stabbing of a white druggist last summer and sentenced Friday to 12 years in prison.

Argus

John Smith of 1412 (rear) Cass avenue, was convicted in the death of Arthur Ulrich during a fight in the Cass Avenue Pharmacy, 1434 Cass, on July 13.

Fe.
3-27-53

The murder trial, which lasted three days last week, was handled by Assistant Circuit Attorney Theodore McMillian, representing the state.

p. 1

At the time of his arrest, Smith told police the fight grew out of an argument over his request for a paper bag for a purchase he'd made. He said he drew the knife to protect himself after the white drug store manager began beating and kicking him.

St. Louis

(An investigation by Argus shortly after the slaying disclosed that Ulrich was generally disliked in the neighborhood for his attitude toward customers).

Smith had gone to the drug store to buy popcicles for his two granddaughters who were spending Sunday at his home.

Mrs. Callie Ulrich, wife of the dead man, did not testify at the trial, although she witnessed the fatal altercation. In a statement to police, she said that she beat Smith about the head in an effort to help her husband. Smith was treated for lacerations of the head.

Atty. Maurice Gordon was retained by the Smith family to defend the case. He was retained after Fred Jones, Argus columnist, secured the services of Atty. Morris Hatchett to handle the preliminary legal proceedings. Hatchett got the charge against Smith reduced from first degree to second degree murder.

13o 1953

New Jersey

Handyman Tells How He Killed Woman in Westport Quarrel

Herald Tribune

New York

Thurs. 1-29-53

Special to the Herald Tribune

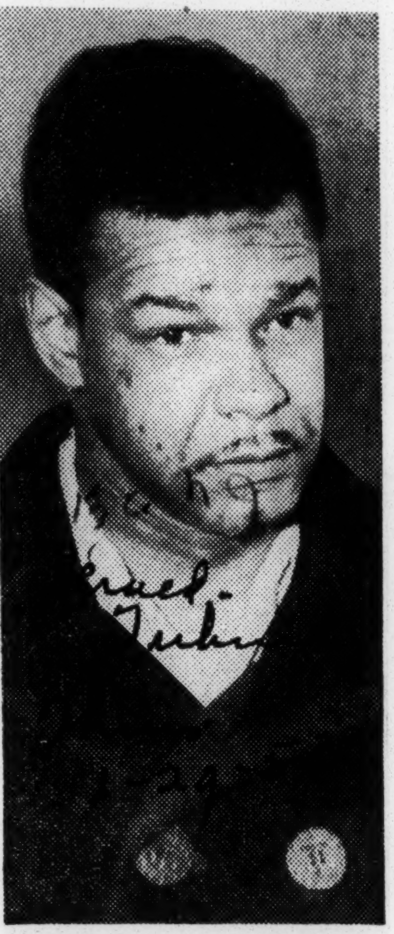
NEWARK, N. J., Jan. 28.—William Davis, twenty-nine-year-old handyman sought since Monday night for the murder of Mrs. Senada Coats Evans in Westport, Conn., was captured today by Newark police without a struggle. Police said he confessed he stabbed, beat and strangled the thirty-year-old estranged wife of Montgomery Evans 2d after they had had several drinks together and quarreled over wages he said were due him.

Davis, a short, slight man with a thin mustache, later waived extradition when arraigned as a fugitive before Judge W. Stanley Naughright in Essex County Court. He was taken into custody by Police Captain Edward Capasse, of Westport, and Frank Bowes, a detective attached to the office of the State's Attorney for Fairfield County, in which the slaying occurred, and taken to Westport by automobile. He is expected to be arraigned Monday in Westport on a first-degree murder charge.

Mrs. Evans' son, Montgomery Evans 3d, two, who was found sobbing in the house the night his mother was slain, is boarding at a private home in Westport. He is a ward of the Westport Welfare Department. His father, who lives at the Winslow Hotel, Madison Ave. and 55th St., New York, said yesterday: "I hope they find a good home for him." Mr. Evans, fifty, is the son of the late president of the Norristown (Pa.) Trust Co.

Mrs. Evans body is at Charles H. Lewis Funeral Home, Westport. A private funeral is to be held tomorrow. Mrs. Evans' foster parents, Mr. and Mrs. George W. Coats, of 1642 Northeast 33d St., Oklahoma City, Okla., are not expected to attend.

At 6 a. m. Davis was surprised in bed by Newark detectives in a dilapidated, two-story frame house at 88 Hoyt St. He surrendered without a fight and merely said, "I knew I would be caught but I didn't think it would be so quick." He was unarmed.



Admits Westport Slaying

Associated Press

William Davis, twenty-nine, in Newark police station, where he confessed to slaying woman

Times

1-29-53

Newark police had been notified by Brooklyn police early this morning that Davis could probably be found at the Hoyt St. address. New York authorities had received this information from Miss Augustine Allen, of 468 Warren St., Brooklyn, where police, having learned from Davis' wife that the fugitive had once lived in the neighborhood, had gone to search for him.

With Davis when he was captured was Miss Jennie Allen, a sister of Augustine. Jennie Allen, held by Newark authorities as a material witness, went voluntarily with Davis to Westport. Police said they were satisfied that she did not know when he came to her Brooklyn home Monday night that he had killed Mrs. Evans in her isolated home on Woodside Ave., Westport.

Newark police said that Davis, in his signed confession, declared that in his argument with Mrs. Evans over back wages he struck her and when she threatened to call police, he seized a knife in the kitchen and stabbed her. An autopsy report showed that she had also been strangled and beaten and indicated that she had been raped.

When captured Davis had a key to Mrs. Evans' five-room house. He said he had been friendly with her since beginning work as a handyman at her home shortly before Christmas when she moved to Westport.

Davis declared, police said, that on a number of occasions he brought food to Mrs. Evans and that she would cook dinner for both of them. Sometimes, the handyman said, his wife would also eat with them. His wife had frequently been employed by Mrs. Evans as a baby sitter.

The afternoon of the killing, according to the confession, Davis and Mrs. Evans each bought a pint of whisky and began drinking it at her house.

Early this morning, Brooklyn police said they learned that Davis was on a tour of bars there with Jennie Allen. Police visited several and were told that they had missed the pair by minutes.

Handyman Tells Killing Of Socialite

Constitution

P. 2

(Atlanta)

Ga.

Thurs. 1-29-53

NEWARK, N. J., Jan. 28—(UP)—A 29-year-old Negro handyman found cowering in a bed here today told police he strangled and stabbed his socialite employer in her Westport, Conn., home after a drinking bout.

Williams Davis, a stocky little man with a thin moustache, said he killed Mrs. Penny Coats Evans, 30, when she threatened to call police after he struck her. He said he became frightened, got a knife and stabbed her and then wound an electric clock cord around her throat.

Detectives seized Davis in a dilapidated house in the Newark business section where he was hiding with a woman friend. He was taken to police headquarters, where officers said he confessed. He was quoted as saying he and Mrs. Evans, with whom he dined frequently, each had consumed a pint of liquor before the slaying. They had argued about his wages, he said.

Westport police reported an autopsy showed Mrs. Evans had been raped, but Davis denied he had raped her.

Mrs. Evans' body, clad only in a sweater and brassiere, was found on a bed in her blood-spattered bedroom Monday night. Her 2-year-old son was found crying in the next room.

Police sought Davis after his wife informed them he had told her about the slaying. Newark detectives found him here after receiving a tip from Westport police.

Davis put up no fight, police said, when they pulled back the covers of a bed and found him. He told officers he was "extremely remorseful" over Mrs. Evans' death.

'No Defense' Plea by Last Of Trenton Six Stuns His Lawyers and Sympathizers

Bystander

Des Moines Iowa

3-5-53

New York.—The unexpected plea of "no defense" by Ralph Cooper, the last of the Trenton Six defendants, and his confession incriminating himself and all his former co-defendants was a stunning blow to his lawyers and sympathizers, Thurgood Marshall, special counsel of the National Association for the Advancement of Colored People, said in a statement released Feb. 27.

Previously, J. Mercer Burrell, NAACP attorney of Newark, together with George Pellettieri and Arthur Garfield Hayes, represented Cooper and Collis English in their second appeal to the New Jersey State Supreme Court.

"Cooper for reasons known only to himself decided to buy his freedom at any cost to himself or anyone else," Mr. Marshall said. "We are still convinced of the innosence of all the defendants, not only the four who were freed by the jury in the second trial but also the two whose convictions were reversed a second time by the Supreme Court of New Jersey. If we knew of the extent of the pressures exerted on Cooper we might have an idea of the basis for this unfortunate development."

Mr. Burrell, not only participated in the first and second appeals, but also was one of the attorneys who, on behalf of the NAACP, participated in the 15-week second trial and defended two of the four who were acquitted in that trial.

Alone in Jail

In his statement, he pointed out that "Cooper was alone in jail" after the death of English. "He was in the custody of Mercer County authorities. He was faced with the opportunity of receiving a sentence resulting in almost immediate release after five years of continuous confinement. He had nothing to lose, as **he had no family and was almost functionally illiterate. . . It is not surprising that Cooper . . . on the spur of the moment and independent of counsel, made a decision to insure his early freedom.**

"Regardless of any statement attributed to Cooper, it is my personal belief, after being associated with some phase of the Trenton Six case since November 1950, that all of the defendants were and are actually and legally not guilty of the crime charged.

Better Opportunity

"Personally, I had a better opportunity than any of the six defense counsel in the second trial to talk with and observe all six of the defendants, particularly during interviews with each of them just prior to their several appearances as defense witnesses.

"Never by direct statement or by inference did I as defense counsel for a period of nearly two and a half years, receive the least inkling of an admission of guilt by anyone of the Trenton Six. I was the first defense lawyer to be selected by the New Jersey State Conference of NAACP Branches, and handled the retaining of Raymond Pace Alexander, Esq. of Philadelphia to succeed Thurgood Marshall, NAACP General Counsel, when he retired from the case for military trials in Korea.

"I do not believe that a single one of the six counsel in the second Trenton Six trial would have fought through the long months of preliminary motions, hearings, jury selection and actual trial if each had not believed honestly and implicitly in the innocence of all six of the defendants who were tried and defended jointly.

"No statement made by Cooper or any other person at this time can affect the decision of the jury after second trial when four of the defendants were adjudged 'not guilty.' The Constitutional prohibition against double jeopardy and the legal principle of 'autrefois acsuit' effectively prohibit any reopening, rehearing or retrial of murder indictments.

Counsel Stunned By Plea

Marshall Says Cooper Decided To 'Buy His Freedom'

Call P. 1

K.C. Mo.

3-6-53

NEW YORK.— The unexpected plea of "no defense" by Ralph Cooper, the last of the Trenton Six defendants, and his confession incriminating himself and all of his former co-defendants was a stunning blow to his lawyers and sympathizers, Thurgood Marshall, special counsel of the National Association for the Advancement of Colored People, said in a statement released this week.

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Call P. 4

3-6-53

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In his statement, he pointed out that "Cooper was alone in jail" after the death of English. "He was in the custody of Mercer county authorities. He was faced with the opportunity of receiving a sentence resulting in almost immediate release after five years of continuous confinement. He had nothing to lose, as he had no family and was almost functionally illiterate . . . It is not surprising that Cooper . . . on the spur of the moment and independent of counsel, made a decision to insure his early freedom.

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"Any further discussion of the factual aspects of Cooper's alleged statements will be purely academic and productive of no legal results. Since nothing can be changed, I see no point in recriminations against the unfortunate and naturally desperate Ralph Cooper, to whom life and freedom seemed sweeter than truth and abstract principle. His decision was purely a personal one, not made upon advice of counsel.

"The NAACP and the Princeton Committee were considering ways and means for his defense when this unexpected, unwelcome and momentous decision was made without notice to either of these organizatoins or to the interested public.

"Cooper's action is only a minor set-back, but not a defeat for the cause of justice and fair play. The disclosures of the two trials, the ruling of the court barring confessions in the second trial, and the strong criticism in the two Supreme Court opinions will remain undsiturbed despite the thin coat of white-wash now applied to the Mercer county prosecutor's office and the Trenton police. The struggle for real democracy and against second-class citizenship in America must and shall go on unabated."

Last of 'Trenton 6' certain of parole

N.Y.

13e Legal Sentences

TRENTON — Ralph Cooper, last of the defendants in the famous Trenton Six murder case remaining in prison, will be given a parole in November.

Ralph Cooper

The State Parole Board so announced Tuesday.

The board's action comes as no surprise. It was anticipated after Cooper, last February, surprised the lawyers who had saved him twice from the electric chair, by pleading no defense before Judge Joseph E. Conlon.

Afro American

Involved Companions

He was sentenced to six to 10 years, retroactive to the time of his arrest in 1948.

Baltimore

Cooper told the court before sentencing that his five companions — Collis English, James Thorpe, McKinley Forrest, Horace Wilson and John MacKenzie—were at the scene in 1948 when William Horner, white store-keeper was killed during a holdup.

Date 8-22-53

Deal Denied

Charges of "a deal" swept the state and nation, but George Pelliteri, a former judge, one of the five defense lawyers active in the case since its inception, vigorously denied the charges.

Afro American

All the defendants were sentenced to die in the electric chair at their first trial in 1948.

Dt 8-22-53

The state supreme court however, ordered a new trial. The second trial ended in a mistrial when the prosecutor became ill.

One Defendant Died

At the third trial, Thorpe, Forrest, Wilson and Mackenzie were acquitted, but English and Cooper were convicted and sentenced to life imprisonment.

The state supreme court again ordered a new trial for English and Cooper, but English died in state prison from a series of heart attacks before a date was set.

Scottsboro Case Recalled

The Trenton Six case paralleled that of the Scottsboro case in its national and international repercussions.

The Communists jumped into the Scottsboro case at the very beginning in a futile effort to stop the NAACP lawyers from representing the defendants.

The Civil Rights Congress, listed as subversive by the federal government, got in on the ground floor in the Trenton Six case, but later withdrew.

Lawyers In Case

NAACP lawyers and others who saved the defendants from the electric chair included: J. Mercer Burrell, Newark; Arthur Garfield Hays, NYC; Raymond Pace Alexander, now a Philadelphia councilman; Clifford R. Moore, now a U.S. Commissioner, and George Pelliteri a former judge, both of Trenton.

A by-product of the famous case and an aftermath of Cooper's surprise February no defense plea, was the grand jury indictment of Dr. J. Minor Sullivan, 3rd, for alleged perjury.

Dr. Sullivan's Case Next

Dr. Sullivan, a Democratic leader of Mercer county and an outstanding physician, examined Collis English in prison and testified as to his physical condition at the trial.

The grand jury indictment was demanded by Prosecutor Mario Volpi who charged that the physician's testimony was questionable.

No date has been set for the trial of the physician, whose lawyers the NAACP said at the time of his indictment would receive the full support of its legal staff in his defense.

Equality Plea Made At English Funeral

13c NJ

By SAMUEL A. HAYNES
And HELEN J. LEE

TRENTON — Poignant drama as challenging and emotional as that which featured the historic trials of the "Trenton Six" highlighted funeral services for Collis English, one of the defendants, here last Saturday.

Afro American

The death of the 27-year-old Navy veteran from a series of heart attacks in the state prison hospital Dec. 30, marked another dramatic chapter in one of the most celebrated murder trials in the history of New Jersey and the nation. p. 8

English and Ralph Cooper, referred to as the "Trenton Two" after their four associates were acquitted by a Mercer County Court jury June 14, 1951, after a 71-day trial, were serving life terms in state prison.

Freedom seemed nearer for them when the State Supreme Court unanimously reversed their convictions last November and ordered a new trial.

Hundreds Attend

Over 350 persons, white and colored, taxed the capacity of Union Baptist Church to pay a final farewell to English who, the state had charged, was one of the chief plotters in the holdup murder of William Horner, white storekeeper, in January, 1948.

Other mourners who could not get inside the church stood outside.

Baltimore, Md.

From the beginning of the trial of the "Trenton Six," English had steadfastly denied any part in the crime.

Speakers Urge Equality

Of the 11 speakers at the services, eight were ministers from New Jersey and New York, nearly all of whom emphasized that "the fight for brotherhood and equality" must continue.

J. Mercer Burrell, prominent Newark civil rights lawyer, who played a leading role throughout the trials in getting four of the defendants acquitted and in setting the stage for the supreme court's reversal of English and Cooper's convictions, was among the speakers.

Associates Pallbearers

He pointed out that "the fight must go on to see that Cooper is vindicated."

The main eulogy was delivered by the Rev. A. S. Grayson, pastor of Union Baptist Church, whose theme was, "Vengeance is mine, I will repay, saith the Lord."

Active pallbearers included two of the "Trenton Six" who were freed, James Thorpe and John McKenzie, also Isaiah Harvey, Samuel Westcotch, John Grier Jr., and James Perry.

Another defendant who was freed, McKinley Forrest, was also among the mourners.

CRC Sends Delegation

A bus load of members of the Civil Rights Congress from New York City, Milwaukee, Wis.; Chicago, Ohio and Pennsylvania attended.

Other speakers included: the Rev. Mother Lena Stokes of the Henley Mission Church NYC; the Rev. A. L. Henley of Hosannah AME Church, Camden, N.J.; the Rev. Harold S. Williams, pastor of the Church of the Rugged Cross, NYC.

NAACP Sends Spokesman

Also, the Rev. Walter P. Offutt Jr., national church secretary for the NAACP who represented Walter White, executive secretary; Joseph Imbrie of the Princeton Committee, one of the agencies which fought to free English and Cooper.

Also, Dr. J. Minor Sullivan, 3rd, health inspector for Mercer county, who was indicted recently for alleged false testimony concerning English's health at the second trial; the Rev. S. H. Woodson Jr., pastor of Shiloh Baptist church.

Dat. 1-17-53

Also, the Rev. H. Stewart of Galilee Baptist Church, and the Rev. B. M. Sturgess, pastor of Shiloh Baptist Church, Tarrytown, N.Y., who was master of ceremonies.

White Sends Telegram

The choir of Union Baptist sang.

In a telegram to Mrs. Emma English, mother of the deceased, Walter White, NAACP secretary said:

"On the very day of his death, Mr. James Imbrie of the Princeton Committee and I conferred on arrangements for a meeting with New Jersey officials to obtain his and Ralph Cooper's release from prison."

A sister, Mrs. Bessie Mitchell of NYC, also survive, Interment was in Greenwood Cemetery with Rodney Dade Funeral Home in charge.

Last Of Trenton Six Sentenced

13c NJ

Legal Sentence

TRENTON, N. J. — (ANP) — Ralph Cooper, last of the "Trenton Six" defendants, was sentenced to 6-10 years in prison last Friday when he pleaded no defense.

Worker

Judge Joseph E. Conlon pronounced sentence as the case took an unusual twist when Cooper said the other five members of the Trenton Six were in the shop Jan. 27, 1948 when a white shopkeeper William Horner, 72, was beaten to death and robbed.

P. 1

Atlanta, Ga.

The Trenton Six case gained national attention in 1948 when six Negroes were tried quickly and sentenced to death for beating Horner with a pop bottle.

Numerous civic organizations including the NAACP and the left-wing Civil Rights Congress, which took up the battle in the early days, protested the action and won new trials for the Negroes.

Wed. 2-25-53

Subsequently, four of the "Six" were freed, but Cooper and Collis English were found guilty. English died in jail after he and Cooper had won new trials.

Although expected to plead innocent, Cooper upset predictions by not putting up a defense, thus climaxing the ending of one of the nation's most famed murder cases

His term is retroactive to February 7, 1948, the day he was first arrested and jailed. He will be eligible for parole in 1954.

'Trenton Six' Negro Pleads No Defense

Courier - Pittsburgh

Implicates 4 Others Who Were Acquitted

Dat. 2-21-53

Trenton, N. J., Feb. 20 (U.P.)—One of the "Trenton six—defendants in New Jersey's longest and most controversial murder trial—unexpectedly pleaded no defense today and implicated his five companions, four of whom had been freed.

13c NJ

Ralph Cooper's was the only case that had not been disposed of.

P. 2

All six, Negroes, originally had been sentenced to die in the electric chair. But after five years of legal wrangling, all but one of his companions had been acquitted of the murder of an elderly secondhand storekeeper. The other companion had died in jail.

Louisville, Ky.

Innocent Plea Expected

Cooper had won a new trial, the date to be set today. He was expected to plead innocent.

Instead he astonished courtroom spectators by telling Judge Joseph E. Conlon that his five codefendants definitely were in the Trenton shop with him when William Horner, 72, was bludgeoned to death with a pop bottle January 27, 1948.

Thus Cooper ended one of the bitterest left-wing causes since Alabama's Scottsboro case.

Term Made Retroactive

Conlon accepted Cooper's plea and sentenced him to six to 10 years in the State Prison. But he said Cooper's term would be retroactive to February 7, 1948, the day he was arrested, permitting him to be eligible for parole in less than a year.

Although Cooper implicated the other members of the Trenton Six, the four freed men probably are not subject to any punishment or trial because they have been declared innocent. These four are:

McKinley Forrest, James S Thorpe, John McKenzie and Horace Wilson.

in le

Only last November the State Supreme Court upset the murder convictions against Cooper and Collis English, the last two defendants remaining in jail. English died in prison.

The four men acquitted earlier are apparently immune from punishment now, regardless of what Cooper said. They are McKinley Forrest, James S. Thorpe, John McKenzie, and Horace Wilson.

13c 1953

New York

BOSTON RABBI DIES OF BEATING IN PARK

Special to THE NEW YORK TIMES.

BOSTON, Jan. 1—Rabbi Jacob I. Zuber, 54 years old, a Jewish scholar who immigrated to this country from Europe in 1947, died today in Boston City Hospital, apparently the victim of a beating by hoodlums in a lonely public park in the Roxbury district.

At about 9 o'clock last night Rabbi Zuber had escorted his daughter, Ann, 21, to a family New Year's Eve party because he had not wanted her to walk through the park alone. He did not stay at the party, but waved to his daughter-in-law, Mrs. Shalom Zuber, through a window of her home.

P. 2 C

He started back through the park and was found lying face down, unconsicous, by Marving Kendall, 15, and his sister, Helen, 13. Beside one outstretched hand was his empty wallet.

Relatives said that the wallet could not have contained more than $2 or $3, since his salary as second rabbi at Congregation Beth Hamedrish Hagodol, Roxbury, was meager.

New York, N.Y.

The two children summoned police. Dr. Richard Ford, medical examiner, said that the rabbi had suffered several fractures of the skull and a brain injury. One tooth was broken. The rabbi died without regaining consicousness.

The police said that there was no evidence of anti-racialism in the attack.

Fri. 1-2-53

Rabbi Zuber was born in Russia. He was banished during a pogrom by the Bolshevist Government and lived for a time in Latvia. For seventeen years he was chief rabbi in the Orthodox Jewish community in Sweden. During World War II, according to associates, he helped hundreds to escape from Nazi persecution.

Where Dismembered Body Was Founc

This is the area around the Fulton Fish Market section in New York City where, police charge Arthur Mitchell threw the dismembered body of a numbers runner into an old trash can.

Police Say N. Y. Janitor Has Confessed

Afro-American

Son Tells AFRO Father Has Not Admitted Slaying

13c N.Y.

By JAMES L. HICKS

P.1

NEW YORK — Police said Tuesday that a 53-year-old Harlem janitor has confessed he killed a 66-year-old white numbers backer on February 25, hid the body in his basement until March [illegible] chopped off the head, burned it in the apartment furnace and tossed the remains into the streets of New York's famed Fulton street fish market.

Baltimore, Md. Sat. 3-21-53

Members of the janitor's family, however, told the AFRO on Thursday that the accused man has notified his family that he has not signed any confession.

Police said Arthur Mitchell, 53. confessed to the slaying of Milton Hirsche a numbers backer whose headless dismembered body, found in two paper babs last Thursday, set off a city-wide manhunt for his slayer.

Well Known In Harlem

Hirsch, who was well known in Harlem, and whose sister-in-law has been a resident of the Theresa Hotel for 15 years, is said to have been slain by Mitchell when he allegedly refused to let Mitchell play his numbers on credit.

The torso of Hirsch's body was found in one bag. The arms and legs which had been cleanly cut from the body were in another. Police said Hirsch was identified from his fingerprints and that when he was found he still had seven numbers slips in his pocket. They said Hirsch was known to be a numbers runner.

Police gave this account of Mitchell's confession: They say on February 25, Hirsch went to the apartment house at 536 W. 143rd st., where Mitchell was janitor and the two men got into a fight when Hirsch refused to credit Mitchell for his number playing.

Hit Head on Pipe

Mitchell allegedly slugged Hirsch and he fell, striking his head on a laundry room pipe as he went down. The blow on the head apparently killed Hirsch, police said.

Police said Mitchell then dragged the body into a storeroom and kept it hid there three days.

He returned to the storeroom on March 1, it was stated, by police, and cut up Hirsch's body with a hacksaw. The officers said Mitchell wanted to put the whole body in a trunk but could not find one large enough. Unable to do this, they say he then tossed Hirsch's head and hat into the apartment furnace and burned the [illegible]

Afro-American

Sat. 3-21-53

Afro-American P. 2
Baltimore, Md.
Sat. 3-21-53

13c N.Y.

Charles Mitchell, son of the accused man, talks with AFRO reporter James Hicks in the storeroom where police say his father hid the body of the dead numbers runner.

Used Shower Curtain

Then, according to police, on Wednesday, March 4, he wrapped Hirsch's torso in a pink plastic shower curtain and put the legs and arms in another plastic bag. After wrapping the two packages again in heavy brown paper, Mitchell is said to have then borrowed a station wagon, drove to the Fulton street Fish market and dumped the packages in front of a wholsale fish house.

13c N.Y.

Police say they narrowed the net around Mitchell by making a door-to-door canvass of his numbers customers in the area of W. 141st st. and 143rd st., between Riverside drive and Hamilton terrace.

Forty detectives rounded up the numbers players and grilled them. Mitchell was among the first grilled but police first let him go. He was later recalled for questioning and, according to police broke down under further questioning. He was then charged with murder.

Son Is Dancer

Mitchell is a native of Savannah, Ga. and lived with his wife and five children on the second floor of the apartment building. One of his sons, Arthur Jr. is a stage dancer and danced in the cast of "Three Sinners and Four Saints."

When an AFRO reporter called

at the Mitchell apartment Thursday, a woman believed to be Mrs. Mitchell slammed the door in the reporter's face after a young girl had opened it.

In the basement, however, the writer found 18-year-old Charles Mitchell performing the chores of his father as janitor.

No Confession Signed

Young Mitchell said his family has been informed by their father that he has not signed any confession. He also stated that police have been unable to prove that Hirsch's head was burned in the furnace. He said police sift the ashes of the house every time a fire is built.

Young Mitchell expressed confidence in the innocence of his father. He said he himself was tending the fire on the day the alleged crime occurred and that his father was helping a television engineer who lives in the building.

He also stated that the man whom police say loaned a station wagon to his father has denied that he loaned the station wagon to anyone.

Connected with Market

Young Mitchell further stated that police identified his father with the crime by associating him with the fish market where the torso was found. He said his father would make trips to that particular market and buy fish to sell to tenants of the house.

Mitchell led the writer to the room where the fight allegedly took place and pointed to the fact that Hirsch could not have hit his head on a pipe in the room because there is only one pipe in the room and it runs vertically from the roof to the floor.

He said several lawyers had volunteered to take his father's case free of charge and indicated from his remarks that his family is highly regarded in the community.

Admits Torso Killing—Calls It Accident

Milton Hirsch, whose hacked up body was found near Fulton Fish Market last week.

United Press Photo.

Arthur Mitchell, charged with the toroso murder.

United Press Photo.

P 13

Inc. 3-10-53

Janitor Says He Dismembered Body While Drunk, Gambler Died in Fight

An uptown janitor today confessed he killed Milton Hirsch, policy collector, cut up the body and burned the head in a furnace because Hirsch wouldn't let him play the numbers on credit, according to police.

Arthur Mitchell, 53, superintendent of an apartment building at 536 W. 143rd St., admitted the torso slaying after being questioned by detectives throughout the night. He was charged with murder.

Held without bail today in Felony Court for hearing March 31, Mitchell contended, through a Legal Aid Society lawyer, Benjamin Schmier, that the death of Hirsch was an accident resulting from a fist fight.

P, 13

On Binge After Fight.

Mr. Schmier, assigned as counsel after Mitchell told the court he was penniless, said Mitchell began drinking heavily after the fatal fight and that it was in this condition that he began dismembering his victim's body.

"This man is not as guilty as depicted," Mr. Schmier insisted.

Police said Mitchell burned his victim's head in a furnace.

New York NY

Found in Two Bags.

The 66-year-old policy runner's dismembered body was found in two large paper bags near Fulton Fish Market last Thursday. The torso was in one bag; the arms and legs, cleanly severed from the body, were in the other.

Police identified Hirsch through his fingerprints. Seven policy slips were found in his socks.

Forty detectives were assigned to the case. They learned Hirsch's territory for policy bets was bounded by W. 141st and W. 143rd Sts., Riverside Dr. and Hamilton Place.

Got List of Customer.

After a door-to-door canvas of the area police had the names of all his policy customers.

Mitchell and several other numbers players were rounded up for questioning. All were released, but the stocky janitor was brought back last night for further grilling and he broke down.

Police and Assistant District Attorney Vincent Dermody said Mitchell gave the following account of the murder in his confession:

Hirsch came to the apartment building on Feb. 25 to collect some policy bets. Mitchell asked him for credit. Hirsch refused. Enraged, the janitor slugged and choked the frail gambler. Hirsch fell, striking his head on a pipe in the laundry room.

Dragged Into Storeroom.

The blow on the head apparently killed him. Mitchell dragged the body into a storeroom and left it there until March 1.

Then, as he was unable to find a trunk big enough to hold it, he dismembered the body with a hacksaw. He tossed Hirsch's head and hat into the basement furnace. He wrapped the torso neatly in a pink plastic shower curtain and placed the limbs in a blue plastic bag. Both grisly packages then were rewrapped in the brown shopping bags.

On Wednesday, March 4, he borrowed a station wagon and carried the two packages to the Fulton Fish Market. He dumped the bags in front of a wholesale fish firm at 10 Fulton St.

Fleeing Thug Kills Harlem's Hero Cop

13E

Penny Held Fire To Spare Crowd

NY

By JOHN FERRIS,

Staff Writer.

Penny the Cop is dead with six bullet holes in him and a vast dragnet is out for the man who killed him.

Penny lived in Harlem and pounded a beat there because Harlem is his town and he seemed to know everybody in it. Last night Penny let a gunman make the first play because it was an hour before midnight and there were many people in the street.

P. 1

The police were searching Harlem, block by block, today with the angry determination they always show when there's a cop killer to be found. The hunt also was in progress on Long Island on a lead that was not disclosed but was too hot to neglect.

Dat. 4-4-53

Won Many Decorations.

Penny was Patrolman John Pendergrass, 53, of 247 W. 149th St. a courageous man who had won many decorations since he joined the force a quarter of a century ago and was assigned to the W. 135th St. precinct.

New York

He was at Lenox Ave. and 145th St. when he saw a car racing south without lights. He jumped into a cab and gave chase. When the car wouldn't stop, he opened fire.

The pursued car whipped east on 140th St., halting near Fifth Ave. Pedestrians stopped to watch and Penny, holding his fire now, approached on foot. There was a burst of gunfire and Penny dropped, mortally wounded. Leaving the car, the gunman ran up Fifth Ave., losing himself in the darkness around 143rd St. and the Harlem River.

Patrolman Pendergrass died at 11:55 p.m. in Harlem Hospital. Detectives who examined his revolver said it had been fired five times. They said they believed the slayer was wounded as witnesses reported he limped as he fled up Fifth Ave.

50 Detectives on Case.

Chief of Detectives George A. Loures who put 50 detectives to work on the case said the suspect was a Negro, about 30, tall and weighing about 150 pounds. He was wearing gold-rimmed glasses and a tan sports jacket.

Police said he apparently was the same man who took between $500 and $600 from the Dependable Liquor Store, 230 Edgecomb Ave., near 145th St., less than half an hour before the shooting. In the holdup two clerks, Nolan Pugh and Henry Radcliff, were forced into a rear room.

Police said they thought the same man also had held up the C. A. N. G., Inc., liquor store, 2481 Seventh Ave., at 11:05 p.m. and took $150.

Robert Simmons, of 142 W. 143rd St., manager of the store, told police he was alone with one customer when the gunman entered and pointed a small automatic pistol at him.

As the gunman left, Mr. Simmons grabbed a 38-caliber revolver for which he has a permit—the store had been held up twice before—and followed the bandit to the sidewalk. As the man ran to his car, parked in 144th St., east of Seventh Ave., Mr. Simmons fired five shots, two of which struck the back of the car. The bandit got in and drove off.

13c 1953 New York

Two Seized In Killing of Patrolman

Herald Tribune

Two narcotics addicts were charged yesterday with the fatal shooting on Saturday night of Patrolman Samuel Katz.

Wed. 4-8-53

Theodore Hayes, thirty, of 343 St. Nicholas Ave., and Charles Jones, twenty-nine, of 1043 Boston Post Road, the Bronx, both unemployed laborers, were seized at 8 Monday night and made "full and complete statements" at 6 a. m. yesterday, according to Alexander Herman, Assistant District Attorney. They were held without bail for further hearing on a homicide charge April 28.

New York N.Y.

Inspectors' Funerals Today

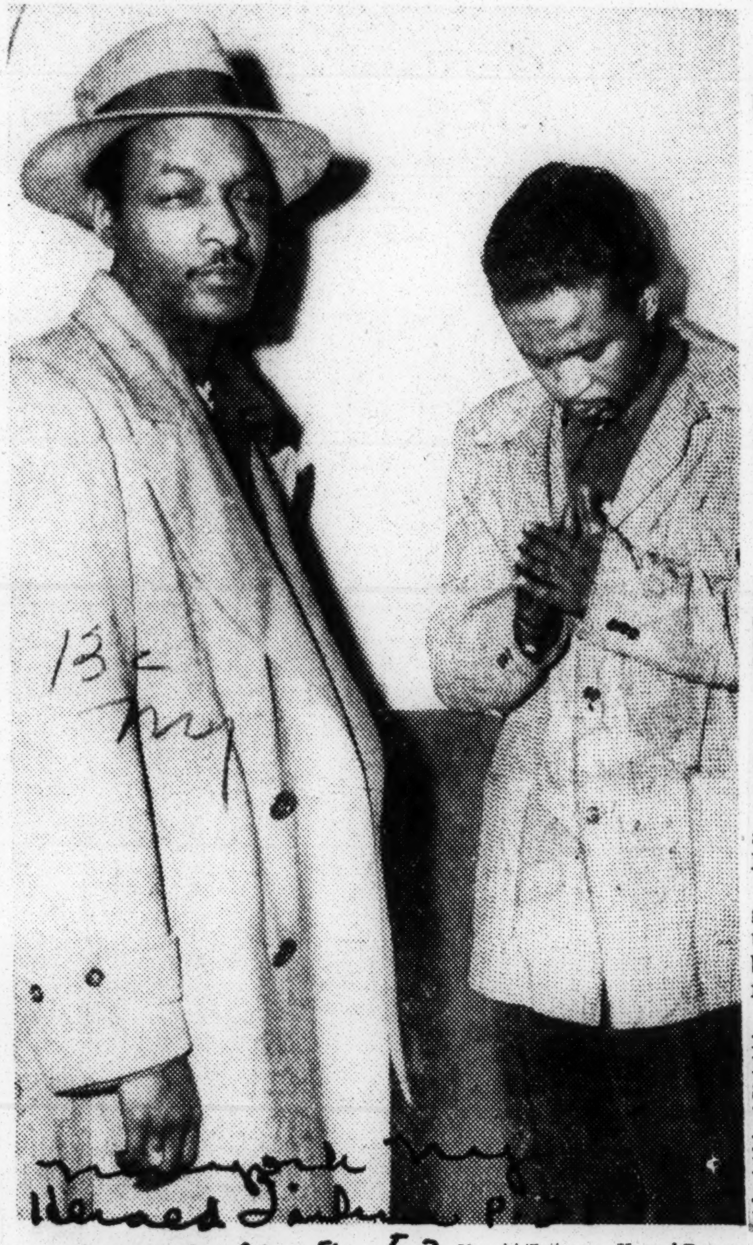
The men were seized in Harlem less than fifteen hours after Patrolman Katz died of his wounds in Harlem Hospital, the second officer to fall under the bullets of thugs in Harlem over the week end. Patrolman John Pendergrass was killed Friday night, and his assailant was captured the next day.

Both officers will receive inspectors' funerals today. Patrolman Pendergrass at 11 a. m. at St. Martin's Church, Lenox Ave. and 122d St., and Patrolman Katz at 2 p. m. in the Gramercy Park Memorial Chapel, 152 Second Ave.

Had Interrupted Holdup

It was revealed that Patrolman Katz had interrupted his killers in the act of holding up a dice game at 220 W. 146th St. Mr. Herman identified Hayes as the man who fired the fatal shots at the officer and then fled with $100.

Quarry of an intensive and angry police search, the men were picked up "on information" by Detectives Benjamin Page of the W. 135th St. Squad, where the dead officers were assigned, and Peter Sweeney, of Manhattan Homicide Squad East. Tall, dapper and arrogant, they admitted to being narcotics users and also confessed to having criminal records. A police search continued for the slaying weapon, which Hayes said he threw in an ash can after the shooting.


13c
N.Y.
New York N.Y.
Herald Tribune P.

Wed. 4-8-53

Herald Tribune—United Press

The two narcotic addicts arrested for the slaying of Patrolman Samuel Katz in a Harlem gun battle Saturday night—Theodore Hayes (left), of 343 St. Nicholas Ave., and Charles Jones, of 1043 Boston Post Road, the Bronx. They are shown in the West 135th St. police station yesterday, where they were booked for homicide.

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3 Held in Slaying Of Tavern Owner

World Telegram

By PAUL MESKIL,
Staff Writer.

Three Harlem youths were charged today with the murder of Michael J. (Barney) Prendergast, wealthy restaurant owner who was shot in the head a week ago in Fort Washington Park.

Police said the suspects surprised Mr. Prendergast as he sat in his Cadillac at scenic Inspiration Point, near 190th St., then held him up and shot him when he tried to escape.

N.Y.

The suspects are Sandy Brown Jr., 19, of 35 W. 131st St.; Leroy Funny, 21, 10 W. 135th St., and Theodore White, 19, 509 W. 142nd St.

Wed. 8-5-53

Admit Being There.

All three have admitted participating in the stickup-slaying but all have denied firing the murder gun, detectives said.

Funny and White named Brown as the killer. Brown insisted Funny fired the fatal shot.

Police are stil lhunting for the gun. At least one of the articles taken from the dead man has been recovered, presumably a billfold or his car keys.

Two other youths are held as material witnesses. They are William Harrison, 18, 70 W. 115th St., and Norman Hubbard, 19, 362 W. 127th St. In addition, a 15-year-old girl who was living with Brown has been charged with juvenile delinquency. Six other persons, including two women, have been subpoenaed to appear before the grand jury investigating the murder.

Brown was arrested early yesterday after detectives learned he had been boasting that he was the killer. After hours of questioning, he implicated Funny and White.

Detectives grabbed Funny last night at 131st St. and Fifth Ave. Learning what had happened and that he also was being sought, White surrendered several hours later at the W. 135th St. station.

Officers who cracked the case gave this account of the murder:

After sticking up a gas station on Manhattan's lower West Side last Tuesday night, the three thugs drove north on the Henry Hudson Parkway in a stolen car. They spotted Mr. Prendergast's car parked at Inspiration Point, overlooking the Hudson River, about 3 a.m.

Turning off the parkway, they pulled up behind the sleek new Caddy and held up Mr. Prendergast, forcing him to get out of the car. They took his two billfolds, containing about $85, but overlooked $225 cash in his pockets and an expensive three-diamond ring.

One of the robbers held a gun to Mr. Prendergast's head while another lifted the wallets.

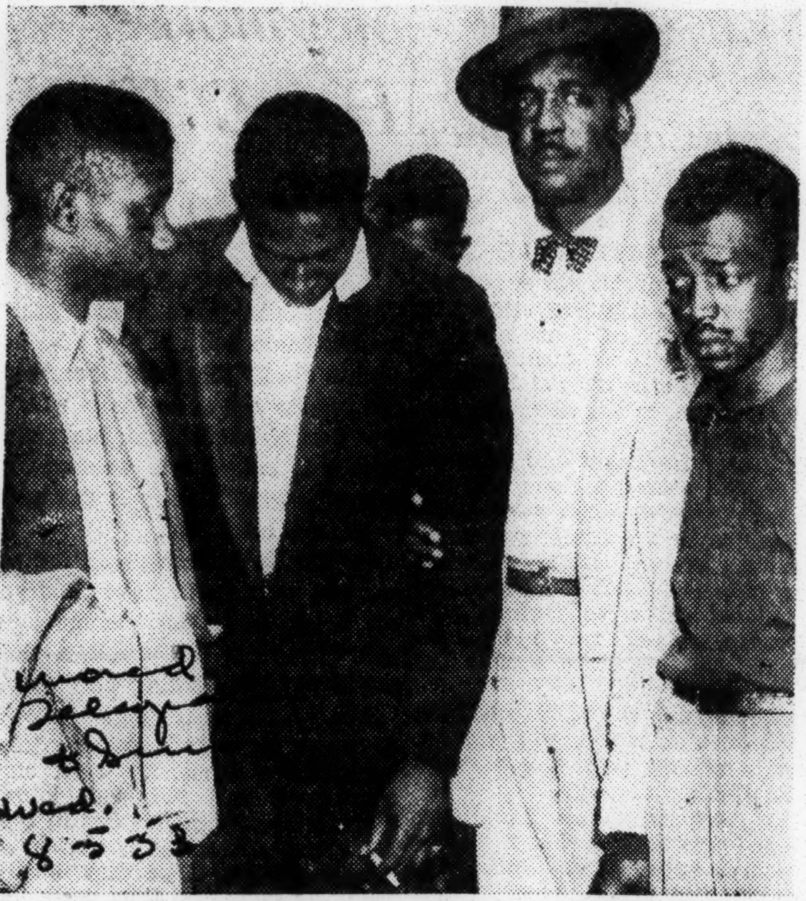
Two of the robbers then returned to their car and the third started to get into the Cadillac. Suddenly Mr. Prendergast bolted and ran toward a flight of stone steps leading to a comfort station.

One of the hoodlums became panicky and fired, hitting Mr. Prendergast in the back of the head.

The thugs then drove their victim's car and the other auto to Harlem. They left the Cadillac in a garage last Wednesday, took it out Wednesday night and abandoned it in St. Nicholas Ave., near 124th St., where police found it soon afterwards.

House-to-House Hunt.

Convinced the killer was familiar with the neighborhood where the Cadillac was parked, police began a house-by house manhunt. Thirty detectives scoured Harlem bars and tenements until they heard a youth had been boasting that he was the killer. The search narrowed to Brown and he was picked up early yesterday.


World Telegram
Wed. 8-5-53

A detective (wearing hat) leaves Police Headquarters with three suspects arrested in the murder of Michael J. Prendergast. The suspects (left to right) are Sandy Brown, Leroy Funny and Theodore White.

Photo by De Marsico.

Limpy Anderson Caught After N.Y. Gun Battle

Tues. 9-1-53

Wanted Here in Slaying

135

Detective Captures Suspect After Duel At Bronx Supermart

By LAWRENCE THOMPSON
Herald Staff Writer

Herald

George (Limpy) Anderson, local cop-killer suspect and Dade county's most wanted fugitive, is in jail in New York after an attempted armed robbery in which he again aimed his free-firing gun at a policeman.

Miami, Fla.

Following a prolonged exchange of shots during which customers of a super market ducked behind counter Anderson surrendered on a street when the officer cornered him by using a commandeered taxicab.

ANDERSON

The sheriff's office here immediately put in a bid for return of the trigger-happy 35-year-old Negro to the Dade County jail from which he escaped on May 1 while being held for trial for the murder of Edward E. Fritz, a county motorcycle patrolman.

Tues. 9-1-53

Anderson lived up to his reputation as a man who is quick at using a gun when his attempted robbery was interrupted by an off-duty officer, Detective Abraham Becker.

P. 1

The interruption and subsequent gun battle occurred before the intended victim, a 25-year-old cashier, could learn of another Limpy habit — pistol-whipping people he robs. He's been accused of that in nearly a dozen holdups.

Anderson, using the alias of Herman Williams, was arraigned Monday afternoon and ordered held without bail.

A hearing was set for Sept. 14 on charges of robbery, illegal possession of a gun and felonious assault.

Sheriff Thomas J. Kelly said he didn't know if New York officials will insist on holding Anderson for prosecution on those charges, but he assumed they would release him to Florida to face the first degree murder charge here.

Anderson has been eluding officers since he slid down the skyscraper county jail from the 23rd floor, using ropes made from mattresses.

The New York police and FBI have been hot on his heels, aided by tips from the Dade sheriff's office, but the limping desperado might have remained free indefinitely if he hadn't returned to his old habit of armed robbery.

Herald

Dorothy MacKanesi, cashier in a Bronx store, looked up to find herself confronted by a man who was pointing a gun at her. He told her to fill a paper bag with money.

When the girl screamed, Becker, shopping in the store, rushed to her aid. Anderson whirled and pointed his gun at the officer.

Miami, Fla.

Becker dropped behind a counter shouting a warning to others in the store: "Look out!" In near panic, some 20 customers broke in all directions.

Both the robber and detective opened fire and after exchanging four shots, which hit plate glass windows, the cashier's booth, and a wall, Anderson ran out of the front door.

135

Becker followed, and the gun duel continued from behind parked cars, sending pedestrians scurrying frantically for cover.

Finally, Becker took over a cab and ran the Negro to corner. He surrendered, still holding his warm but empty pistol.

With the arrest, Sheriff Kelly revealed that it had been known "along time" that Anderson had deserted Dade county, where he was well known, to try to lose himself in teeming Harlem.

Thanks to the fingerprints, pictures and descriptions already on hand, it was a simple matter for the New York detectives to identify Anderson as the man wanted for the February slaying of the Dade county patrolman.

Fritz, 23-year-old native Miamian, was a World War II veteran and had been on the sheriff's force since 1951.

He was riding his motorcycle on the afternoon of Feb. 3, when he heard the broadcast about the armed robbery by three Negroes of the Benner Box Co., 2930 NW 39th ave.

Seeing the getaway car, Fritz gave chase and brought it to the curb on NW 119th st. near 20th ave. As he walked toward the car, he was shot in the head and the bandits sped on.

More than 200 officers, aided by bloodhounds, took part in the manhunt that followed. Percy Ambrister was arrested later in the day in the downtown Negro section, Richard Floyd as he was driving through Hollywood, and Anderson on the bank of Biscayne canal where he had joined a party of fishermen and tried to pose as one of them.

Floyd told officers that Anderson had killed the county patrolman in cold blood and that the patrolman hadn't even drawn his gun from his holster.

In addition to facing first degree murder charges for the killing, Anderson and accomplices were charged with five armed robberies committed in the previous month.

Anderson had been sentenced to 25 years in prison in 1941 for armed robbery and was paroled on March 28, 1950, with the provision that he live in a North Florida county.

He was arrested again on June 27, 1950, in Putnam county and his parole was revoked in September of that year. He escaped from the state prison at Raiford in May, 1952, and was a fugitive at the time of the Miami shooting.

On May 1, he escaped from the skyscraper jail, leaving Theodore Roosevelt Wilson, 20-year-old Negro convict, lying critically injured on the seventh floor landing.

Wilson had helped Anderson braid the ropes by which they went out of a 23rd floor cellblock window. Anderson descended safely, but Wilson lost his grip and fell several stories to the seventh floor landing.

He charged that Anderson deliberately "shook me off" so he could go it alone.

13c 1953

New York (Legal Sentence)

Killed Two, Gun Jails Him

Afro-American

Ex-Patrolman Shot Brothers

13C N.Y.

P. 9

[illegible]

WHITE PLAINS, N.Y.—Stanley LaBenskey, the 49-year-old former Westchester County parkway patrolman who killed two brothers in a Yonkers tavern last year finally went to jail last week—but not for the unprovoked slaying of the Blacknall brothers.

Baltimore

Md.

LaBenskey was sentenced to nine months in jail for possession of a 38 calibre pistol, the same pistol with which he shot to death Wyatt Blacknall, 23, and his brother, James, 22, March 1, 1952.

LaBenskey, who claimed self-defense, was acquitted of a first degree murder charge in connection with the fatal shooting of the brothers whom he shot after resenting their being served in a tavern.

Sat. 3-14-53

However, the former patrolman was held on a charge of violating the Sullivan law. He was convicted three weeks ago of possession the weapon used in the shooting and a second gun, an unloaded target pistol, found in his home.

County Judge John P. Donohoe suspended sentence on the charge of possessing the target pistol.

Ex-Cop Given 8 Years for Slaying

NY

13C

[illegible]

New York.—(CNS)—Ignoring the plea that Negro cop, Stanley E. Daivs, Jr., was trying to save a fellow cop's life Judge Samuel Leibowitz sentenced Davis last week to 8 to 15 years in Sing Sing for the fatal shooting of Arthur Battle, also a Negro.

p. 3

"That's a cock and bull story," snapped Leibowitz when Attorney Aaron Goldstein insisted that Davis was only defending another cop when he shot Battle in his home.

[illegible]

Davis took the sentence calmly and tried to make a statement but was cut off by the court. Judge Leibowitz noted his "excellent" war record and then added that "you must have lost yourself in the excitement of the moment."

Thur 5-7-53

Ex-patrolman Davis was along with two other other cops when he shot Arthur Battle. All were off-duty and claimed they were looking for a gun lost by one of them when they searched Battle's home.

Davis said he shot Battle because the latter whipped out a knife and went for one of the cops. Battle was paralyzed for months before he died on December 20. He had started a suit against the city of New York for a half of million dollars

BATTLE TO SAVE LIVES IS ENDED:

Two Daniels youths die in gas chamber

Afro American P. 2 Jan 11-14-53

13c NC

RALEIGH, N.C. — The long legal battle to save the lives of two teen-age youths came to end here last week, when cousins Bennie Daniels and Lloyd Daniels died side by side in the state's gas chamber.

Just eight minutes after the gas was released in the death chamber, Lloyd Daniels was dead. His cousin, Bennie, died two minutes later.

The prison chaplain, who baptized the two youths just before they walked to the lethal chamber, said Lloyd Daniels claimed he was innocent of murdering William Benjamin O'Neal, a white cab driver of Greenville, N.C., in 1949. The second youth made no statement of his guilt, the chaplain said.

Sentenced In 1949

The cousins were sentenced in June, 1949, for the slaying of the cab driver with tobacco sticks and brickbats near a tobacco farm, and robbing him of a few dollars.

Conferences, which reputedly were made by the two youths, were introduced as evidence at the trial. At that time, defense lawyers contended the confessions were illegally obtained, but the trial judge ruled they would be used as evidence.

The conviction led to the series of appeals from court to court in an effort to save the youths from execution. On the day they died, the State Supreme Court and a federal judge told defense lawyers the executions could not be delayed again.

Tenant Farm Families

Both youths came from tenant farm families, one attending school for one year, the other not at all. Prison officials said Lloyd Daniels was more composed than his cousin as he approached the death chamber. He appeared to have gained weight.

Defense lawyers based their appeals on racial discrimination in jury selection and violation of constitutional rights. The families of the ill-fated youths, believed to be between 16 and 17 years old, visited them for a last time before the executions and will claim the bodies in Greenville.

Rural Type Violence Marks Death Of Korean Veteran

Another Example Of How The Community Takes Over As Judge, Jury And Executioner

COATS, N. C.—After talking with a number of residents of this typical small town, strictly rural in nature and thought, I am convinced that the death of Frederick Simmons, Korean veteran, on Monday night, May 25th, can be recorded in the history books as another casualty of the jim crow laws and their many pronged offshoots.

Simmons, who was traveling on a bus from Stamford, Connecticut to Denmark, S. C., died as the result of gun shot wounds said by the coroner to have been inflicted in self-defense by Constable C. E. Moore, of Coats, and by other wounds inflicted by certain residents of the community who chased and caught up with Simmons about one-fourth mile from the bus station here after the ex-soldier had engaged in a melee with the bus driver, who Simmons wounded with a knife, in the course of the fight with the bus operator.

p. 1

Sat. 6-13-53

PERSONS WHO saw the body on the ground said they saw a hole in his head, another over his heart, and one in his left leg. There was also a small hole in his back about the same size of the two in the left front where the bullets presumably entered.

Moore, the constable who was on the scene when Simmons was killed has been on the Coats police force for approximately one year. He was previously on the Dunn police force, and while serving there was exonerated for responsibility for the death of an alleged white dope addict. He was subsequently separated from the Dunn police force in a shakeup following charges of certain police department irregularites.

* * *

AFTER TALKING to one eye-witness to the killing of Simmons, which the local coroner ruled was in self-defense, and with other residents around here, one would gather that the coroner's verdict probably contained elements of doubt. There is no doubt that Simmons got into an argument with the bus driver, nor is there any doubt that he wielded a knife, severely wounding the driver. But when captured and killed Simmons was being pursued, according to eye-witnesses, by an **enraged mob of approximately** 10 men, in addition to the constable, who, of course, was armed.

Inasmuch as the fleeing man was killed by a group of nearly ten men, who were not policemen or constables, his death constitutes lynching, under the current interpretation of lynching.

The constable armed as he was, should have been able to take Simmons in custody, and have him brought to trial by law, and no doubt would have done so, had not the community posse interferred. It is this self-appointed extra-legal, local rural court, that has been responsible for most of the violence of this kind that has occurred in the South.

* * *

AN EYE-WITNESS to the death of Simmons, whose name **must be withheld for safety reasons**, gave your reporter the following account:

"I saw the man (Simmons) run into a white lady's back yard. At that moment a car drove up and the law got out and said something to him, which sounded like 'come on, let's go back to the bus station and get this straight.' Instead of going with the officer Simmons started to run, when he was hit over the head, and fell. It was then that about 10 men came running up. They were armed with sticks, shovels, rocks and some other things. Simmons started to run again and one of the men (not the law) grabbed him and they fell, tussling and rolling on the ground. Simmons got the best of this, using his knife on the man. Then another member of the crowd hit Simmons on the **head with a shovel, and I heard** a shot. Then others in the crowd started beating the colored man, who was flat on the ground. Then there were two more shots fired, and I ran away from the place where I had watched the capture and what followed."

* * *

THE ACTUAL happenings, as seen by this eye-witness, were quite different from published accounts of the incident, which said that Simmons went beserk on a bus, accosted the bus driver, told him that he had fought in Korea, and that "they" were trying to kill him, after which he proceeded to knife the bus operator. From this point it seems that the violence that all too often flares up manifested itself. A fight occurred, the bus driver was injured, the mentally disturbed veteran of the Korean war was killed in the course of the violence that followed the bus incident.

The man probably would not have been killed had officers of the law been left to handle the matter. But in small southern towns **"the law" does not always** wear uniforms nor carry any credentials at all when it comes to wreaking vengeance on a Negro who has started a fight.

* * *

THE AVERAGE southern small town is lawless when it comes to any issue between a police officer, a bus driver and a Negro. The latter is subject to the inviolable terms of jim crowism, and every white man and boy in the community feels duly ordained to uphold jim crowism, even if in doing so he must take the life of a human being. If he does that the courts usually acquit him.

In cases involving Negroes a coroner's verdict is usually just so much eye-wash if the Negro was killed by a white person. An investigation, or an autopsy is usually considered unnecessary. The verdict of the coroner, or the testimony of the participating constable is all that is necessary to close the book on the snuffing out of the life of a member of the minority group, even if the man has recently returned from the wars, **sick in mind and body, from** the experiences suffered in wars started by the white man, for the same reason that Simmons got into difficulties that brought on his death at Coats, North Carolina.

Lynching ruled out in slaying

13 = N.C.

~~Afro-American~~

Victim's hands tied, dragged behind car, N.C. coroner says

By LEE BARROW

p. 1

Baltimore, Md.

DUNN, N.C. — The more the inhabitants of this sleepy country town discuss last Saturday's "squeeze - play murder," the more puzzled they become.

Local police officers have officially ruled out the possibility of a lynching, a theory which caused the story to be headlined in several American and European newspapers.

Sat. 9-5-53

They claim the killing of John D. McLean, 30, was an all-colored affair, and are holding two neighbors, Leroy McNeill and Tommy Cameron, in the death.

But .. the brutal manner in which McLean met his death is making people wonder if police are looking in the wrong direction for suspects.

Found Near Home

McLean's body was found early last Sunday lying in the road near his home. Police said there was evidence that a rope or wire had been tied around his shoulders and that his body had been skinned, battered and bruised as though dragged behind a fast moving vehicle.

Following an autopsy, Dr. Charles Byrd, local physician, said the sharecropper's arms were tied across his chest with a rusty cable or thick wire.

Afro-American

This wire, or cable, was tightened slowly, the doctor said, until seven of his ribs cracked, filling his chest with blood and eventually causing his death.

It was also testified that despite the bruises on the body, Mr. McLean had not been dragged far enough to cause his death.

Rode In Auto

The two suspects said they found Mr. McLean lying in the road not far from his home, at about 8:39 p.m. Saturday. They reported that they picked him up and put him in their automobile.

Baltimore, Md.

Several hours later, the two men said they let Mr. McLean out of the car near his home, safe and unharmed.

As a result of their testimony and that of police officers, a coroner's jury ordered the men held under $1,000 bond apiece for grand jury action on Sept. 8.

Sat. 9-5-53

The principal question being asked in Dunn at the moment is: Why was McLean killed?

p. 2

The method used is believed to indicate that the slaying was not a crime of passion but a deliberate slaying through use of torture.

13c N.C.

As one Dunn resident said:

"You have to hate a man awfully bad to tie him up like that and squeeze him to death."

James H. McLean, a brother of the dead man said he always thought the two suspects now being held, were "friends" of his brother.

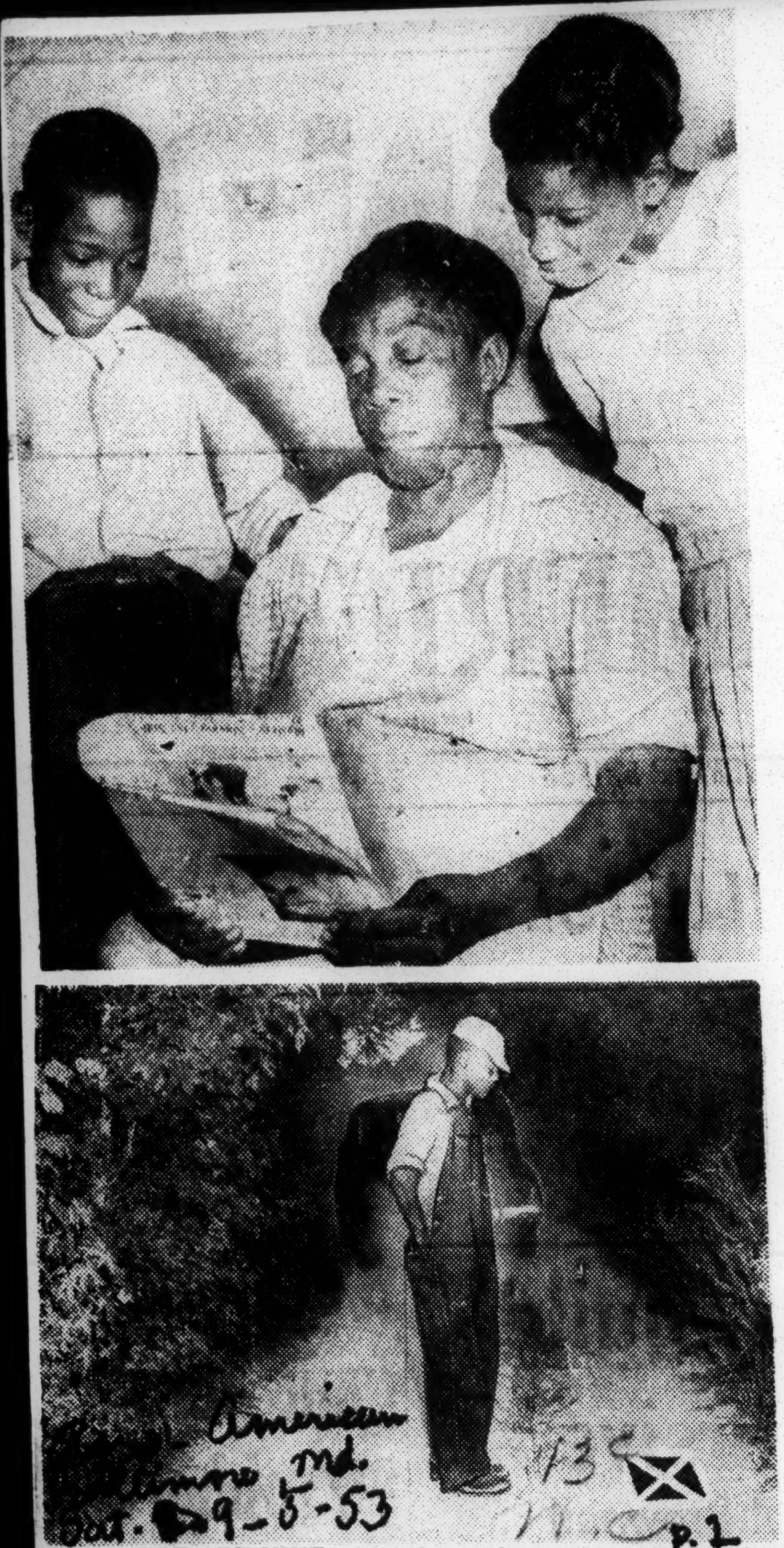
'Lovers' Lane

The road on which McLean was killed is reported to be used as a lovers' lane by white residents in the area, and one person told the AFRO:

"He (McLean) must have run into a petting party on that road at some time or another. Maybe he wandered back to the highway after McNeill and Cameron let him out, and was recognized by somebody who wanted to teach him a lesson."

Deputy Sturgill says no whites were involved in the killing. McNeill and Cameron say they are innocent, that McLean was alive when they last saw him.

For these reasons the racial angle continues to pop up in the minds of many local residents.



American
Md.
Sat. 9-5-53
135
N.C.
p. 2

NOW THERE ARE NINE—A mother and two of her younger children look over a newspaper account of the killing of her 30-year old son, John D. McLean, in top photo. From left to right: Demsey McLean, Mrs. Gertrude McLean, and Georgia McLean. In bottom photo, a brother James H. McLean, looks at spot where the body of his brother was found.

Ask High Court Review For Man Who Claims Victim's Wife Planned Death

Says Wife Of Murdered Man Actually Pulled Trigger

World
P. 8
Atlanta Ga.
3-19-53

WASHINGTON, D. C. — (NNPA) — The United States Supreme Court is asked to review the judgment of North Carolina courts upholding the conviction of LaFayette Miller, who claims that he plotted with a woman to murder her husband but that she actually fired the fatal shot which killed him.

Miller was convicted of first-degree murder and was confined in the Central Prison at Raleigh, North Carolina, to await execution. Under the North Carolina post-conviction law, he filed an appeal, directed to Judge Leo Carr of the Wake County Circuit Court, asking that the warden be enjoined from carrying out the execution.

The condemned man alleged that that he had been deprived of his constitutional rights because of race discrimination in the selection of the grand jury, which indicted him, and the trial jury in Beaufort County.

Judge Carr issued an order restraining the warden and also signed a consent order transferring the case to Beaufort County.

After a hearing, Judge Clawson L. Williams held that no race discrimination had been practiced in the selection of the jurors, that Miller's constitutional rights had not been violated, and that, as a matter of fact, Miller had waived his rights to quash the indictment and challenge the jury panel on constitutional grounds.

The restraining order was dissolved, but Miller was given a stay of execution until he exhausted his right to have his case reviewed by the North Carolina Supreme Court.

That court turned him down.

Miller was convicted of killing Harvey C. Boyd, 21, white, while Boyd and his wife, Mrs. Opal Boyd, were in their bedroom getting ready to go to bed.

According to the State's version of the crime, Miller is alleged to have crept up to a window of the bedroom and shot Boyd with a shotgun without Boyd knowing that Miller was outside the house.

There was no evidence that Boyd or his wife had ever seen Miller before the murder.

After killing Boyd, according to the State, Miller compelled Mrs Boyd to bring him Boyd's automobile keys, forced her to unlock the trunk of the car and get in it.

After driving some time, Miller was stopped by two highway patrolmen, who, hearing Mrs. Boyd's screams and calls, released her from the trunk and arrested Miller.

Miller allegedly confessed that he shot Boyd to get Boyd's car because he liked it.

Opposing his petition for a review of the case, the State asserts that the jury which tried Miller was selected from a panel of 125 jurors, drawn from the jury box of Martin County by a child under 10 years of age.

The panel, the State says, included twenty-four colored jurors, three of whom actually served on the jury which convicted Miller. Since the trial did not recommend mercy, he was sentenced to death.

The State maintains that even the colored jurors "could see no extenuation or excuse" for the murder.

Supreme Court Refuses to Hear Miller Murder Case

Black Dispatch

WASHINGTON, D. C. — (ANP) — The fight to save Lafayette Miller's life took another setback last week when the U. S. Supreme court denied the condemned man a hearing. Unless some last minute stay of execution is won, Miller will die in the gas chamber.

P. 5
Cleveland
Call
Ohio
Dat. 4-18-53

The defendant is under death sentence for the shooting of white Harvey C. Boyd. He has steadfastly denied the charge.

Miller contended that Negroes were discriminated against in the selection of grand and trial juries in Superior court in Beaufort county, N. C., where he was tried. Harry McMullan, attorney-general for North Carolina, has denied there was any discrimination.

Boyd was shot through a bedroom window of his home. Mrs. Boyd said that Miller shot her husband, but Miller said on the witness stand that Mrs. Boyd had asked him to kill her husband, but when he showed up on Thanksgiving Eve night in 1951, he told her he couldn't do it.

He also said Mrs. Boyd was on the lookout for him, and came outside on his arrival and urged him to shoot Mr. Boyd. Miller said he told her again that he couldn't do it, and contended that she then took the gun and fired on her husband.

Miller also claimed that Mrs. Boyd got in her husband's car and rode with him from the house. On the highway, he said, he suggested that it didn't look good for the two to be riding in the car together and that she stopped the car and got into the trunk.

Mrs. Boyd, however, testified that Miller forced her to get into the trunk of the Boyd car at the house, then drove away. The Boyd car was stopped on the highway by police, and Mrs. Boyd attracted their attention by her cries. The officers freed her and arrested Miller.

Sheriff Reports Negro Killed in Jim Crow Row

Post
P. 16
Washington D. C.
5-27-53

COATS, N. C., May 26 (UP)—A sheriff today reported details of a shooting last night in which a Negro was killed after he stabbed a bus driver who asked him to take a back seat and another man who attempted to prevent his escape.

Sheriff W. E. Salmon said Constable C. E. Moore shot Frederick Simmons, of Stamford, Conn., when the Negro attempted to knife him.

R. S. Blanton, of Columbia, S. C., driver of the Raleigh-to-Atlanta bus, was listed as in fair condition. The other wounded man is Stacey Byrd, of Coats.

13c 1953 NORTH CAROLINA (Legal Sentence)

Two Youths Nearer Chair

Afro-American

P. 3

Convicted Pair To Die In N.C. Friday

Baltimore

RALEIGH, N.C. (ANP)—New plans to save two cousins from the death sentence ran into a snag last week when the attorney general's office here contended that Bennie and Lloyd Ray Daniels are not entitled to further hearings.

The state's answer held that the two defendents were found guilty of murder in 1949 in a proper manner by the Pitt county jurors. The state also held that the jurors who acted in the case were properly selected and that the defense attorneys have exhausted their rights.

Herman Taylor, colored Raleigh lawyer, asked State Supreme Court two weeks ago to grant a new trial on grounds that the jurors were drawn from voting lists rather than from tax lists as required by law, claiming that this constituted discrimination.

17 When Convicted

At the time of their trial Bennie and Lloyd were only 17. They were convicted of murdering a white taxi driver. Since 1949 their case has been considered by the North Carolina state supreme court, the U.S. Supreme court and the District federal court.

5-30-53

Unless Taylor comes up with new evidence justifying a new trial, the boys will be executed on Friday, May 30, along with two rapists, Raleigh Speller and Clyde Brown.

The Daniels boys have been in Central Prison for four years. Speller has been in Death Row since 1947, and Brown since 1950.

New Law Saves Boy From Death

Sentenced To Die At 15 For Murder

13c Legal Sentence

N.C.

Life Term Displeases White Crowd, Youth Whisked Away

NEW BERN, N.C. — The youngest person ever to be given a death verdict in this state has been saved from death by a new law. He was sentenced to die in the gas chamber at the age of 15.

Afro-Washington

This 1953 legal device permits a suspect to plead guilty to murder in the first degree by putting it in writing and sending it through his counsel to the presiding judge who in turn refers it to the solicitor.

If the solicitor accepts it, the judge must show mercy in his sentence.

Saved By Supreme Court

Prisoner in this case is Ernest Ray Simmons, 17, who was accused of the April 20, 1951 ambush killing of Joe McGee, 50. After he was sentenced to the gas chamber the first time, the Supreme Court ordered that he be given a new trial.

Baltimore

At the second trial, he again was sentenced to die. It was during the third trial that Judge Henry L. Stevens pronounced the life sentence after Solicitor William J. Bundy of Greenville and private prosecutor Henry Whitehurst agreed to accept the guilty plea.

Term Not Popular

The term was not popular with the bloodthirsty, tense spectators in the courtroom and it was necessary for the sheriff to whisk the 17-year-old youth out of the courtroom and off to the state prison within minutes after the judge's verdict.

His lawyer was not even given time to talk with him.

Whitehurst, who represented Mrs. McGee told the court that the widow still wanted young Simmons tried for his life, but that he felt impelled to go against her wishes.

Solicitor Bundy stated that he accepted the plea reluctantly and only agreed to go along with it because of the extreme youth of the prisoner.

He added that he was sure the Supreme Court would have handed down another reversal or the Governor would have commuted any death verdict given in the case.

Believed Innocent

Charles J. Abernethy Jr., counsel for the youth, says that in spite of the written guilty plea, he believes that his client is innocent but because of the circumstances he agreed to the compliance with the new law.

He added that he is convinced that Frank Dudley who testified against Simmons is the real culprit. Dudley admitted to police that he and Simmons had planned to rob McGee, but that he failed to meet Simmons and go through with it.

Judge Stevens in commenting on the outcome of the case said that the tender youth of the prisoner would have prevented his death in the gas chamber and that although the Supreme Court did not rule previously on a confession made, the question of Simmon's constitutional rights was involved.

Stay Saves 2 From Death

13c

N.C.

Cousins Continue Legal Fight

RALEIGH, N.C.—Two days befor they were scheduled to die in the Gas Chamber here, Bennie and Lloyd R. Daniels, who have fought a long legal battle to live, were given stays of execution by the U. S. Supreme Court.

Afro-American

Not so fortunate were the other two men who had sought a similar escape. Going to their death on the scheduled date were Clyde Brown, [illegible], and Raleigh Speller, both convicted of criminally attacking white women.

The Daniels cousins have been convicted of killing a white taxicab driver in Greenville. They were first sentenced to die in 1949 The State Supreme Court recently turned down a plea to grant them a new trial.

Fighting Attorney

On previous occasions the U.S. Supreme Court has refused to review their case. Fighting desperately to save them is Herman Taylor, attorney who said on receiving notice of the execution stay, that he expects to file an appeal within 20 or 30 days.

This appeal will be to the U.S. Supreme Court. Signing the execution stay was Chief Justice Fred Vinson of the Supreme Court.

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3 White Men On Trial In Death Of Of Race Man, 63

DOBSON, N. C.—(SNS)— Three white men are on trial in Surry County Superior Court, this week for the murder of a 63-year-old Negro whose mutilated body was found in a barn near here.

Lex Moorefield, Robert Hall and Orville Hill have been charged with murder in the death of Sam Brim, a colored farmer.

Brim, dying as result of a cut throat and injuries sustained in an automobile wreck, was discovered in a barn by a farmer who lives near here. Investigations indicated that the victim's car had been involved in a wreck with an automobile in which the three defendants were riding. The slaying reportedly took place during an argument about the wreck.

6-3-53

Gets 18 Months

Killed to Protect Negro Womanhood

Legal Sentence

13c

By A. M. RIVERA JR.

Courier

WILMINGTON, N. C.—Negro residents rubbed their eyes and pricked their ears in doubtful astonishment here last week when a confessed rifle slayer of a white man was sentenced to a prison term of only eighteen months.

William J. Vaught, 39-year-old Atlantic Coastline Railway employe testified that a group of white men looking for Negro women, had made me so angry that I didnt' know what to do.'

Pittsburgh Pa.

Vaught entered a plea of manslaughter in the early morning Sept. 5 slaying of Edward B. Beall, 22-year-old Wilmington white man.

Sat. 10-17-53

* * *

A COURTROOM crowd, equally divided between Negroes and whites and segregated by custom, witnessed one of the truly strange cases of North Carolina, one which might easily be regarded as a significant index of the times—a Negro man killing to protect a Negro woman against the abuse of whites.

Courier

On the second day of the fast-moving two-day trial, Vaught told the court that some men approached him in front of his home about 2 A. M. as he was returning from work on the night of the slaying and asked if he knew where they could find "some n—— women."

Vaught testified that he did not answer, but continued on into his house. He said they drove their car very slowly toward the intersection, but turned around when they saw a Negro woman. Vaught said he watched from his window and saw a man from the car reach out and grab the woman in an attempt to force her into the car. "It made me so mad," Vaught said, "I got my 22 calibre rifle and started shooting to scare them away from the woman."

Sat. 10-17-53

* * *

BEALL, WHO was sitting in the car, was killed instantly by a bullet in his head. Investigating officers reported that there were several other bullets lodged in the car.

Detective Sgt. L. E. Sykes of the Wilmington police force said that Louis Andrews, a companion of the dead man, told him that four of them were looking for "colored women."

Two N. C. Youths To Die Today; Stay Of Execution Is Denied

RALEIGH, N. C.—(INS)—The State Supreme Court Thursday denied a stay of execution for Bennie and Lloyd [illegible] who are scheduled to die in the gas chamber at 10 a. m. today.

Herman Taylor and Samuel Mitchell, Attorneys for the condemned pair, made a desperate appeal to the court on grounds of the two year post conviction statute of North Carolina.

The court rejected the appeal for "want of Jurisdiction."

Taylor and Mitchell hurriedly went into conference and announced they are "not giving up." The Attorneys said they would work on a new approach towards saving the men.

Taylor and Mitchell contend the two Negro cousins were sentenced unfairly because there was only one Negro on their jury. They were convicted or murdering Benjamin O'Neal, a Greenville taxi driver, in 1949.

Their case was appealed three times, with the U. S. Supreme Court denying an appeal last month and Gov. William Umstead refusing executive clemency.

The post conviction statute allows court reviews when a person alleges questions involving his constitutional rights were not considered.

If a stay had been granted, a Superior Court Judge would consider a petition to hear their claims.

13c 1953

OHIO

Woman Patient's Husband Admits Act; Out on Bail

13c Ohio

By ALBERT DUNMORE
(Courier Staff Writer)

DAYTON, Ohio—Dr. C. Richard (Dick) Price, nationally prominent physician, was beaten to death here last week by a husband who objected to medical advice being given to his wife relative to birth control.

Curtis Alexander and his cousin, Lawrence Dukes, were placed under $2,000 bail pending a preliminary hearing on charges of manslaughter in connection with the death of the physician, who died in the Miami Valley Hospital. Alexander posted bond.

Courier

Dr. Price, prominent in Alpha Phi Alpha circles, and a widely known physician, was brutally beaten while making a professional call on Alexander's wife, Dorothy, after responding to a telephone call . . . which nobody claims to have made.

Pittsburgh

* * *

MRS. ALEXANDER had been a patient of Dr. Price and in a deathbed statement, the physician told police that he was making a call after being summoned to the Alexander residence by telephone. It was then, he stated, that he was confronted by his patient's husband.

After a scuffle in front of the Alexander home, the physician got in his car and drove to his office. There, he said he was followed by Alexander, and his cousin, Dukes, and was severely beaten. He died a week later from injuries received in the beating.

Dukes in a statement to the police denied that he had participated in the actual beating of the physician and Alexander told police that he was responsible . . . but witnesses to the incident said they saw both men pummeling Dr. Price.

Courier

* * *

ALEXANDER, in his statement, said that when he confronted Price near his home, and was told that the doctor was "looking for Dorothy," he resented the familiarity expressed by the doctor and, as a result of words passed, the altercation took place.

Sat. 11-7-53

He claimed further that there was nothing wrong with his wife and that she needed no medical examination.

13c Ohio

This reporter discovered that Mrs. Alexander had been treated by Dr. Price and had visited his office on several occasions.

Mrs. Alexander denied rumors that there had been a romance between her and the doctor, and also denied that she had called the doctor to her house the evening of the beating.

In fact, she revealed that she was not at home at the time the incident occurred.

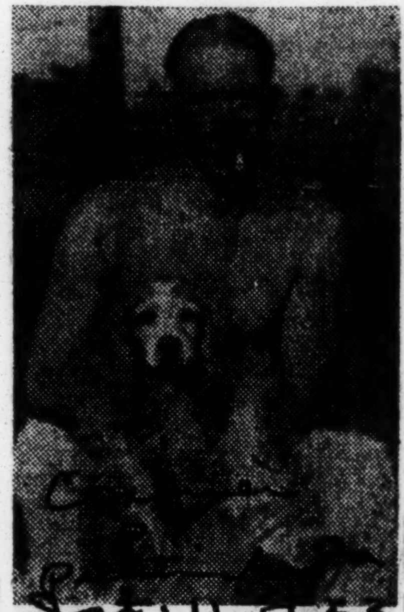
* * *

PRELIMINARY hearing on the case is set to be heard Nov. 6.

Funeral services for Dr. Price were held Tuesday from the Jones Brothers Mortuary in Dayton. The deceased was 50 years old, and was a native of Ohio. He had been practicing in Dayton since graduating from Ohio State University in 1931, and had built up quite a large and reputable practice.

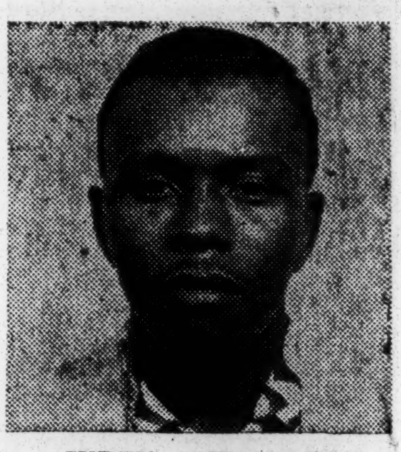
He is survived by a widow, Mrs. Lillian Price, and a brother, Verrelle, also of Dayton.

The doctor had recently completed a beautiful ranch type home on the outskirts of Dayton which was one of the show places of Central Ohio. He and his wife had occupied the home but seven months prior to his violent death.

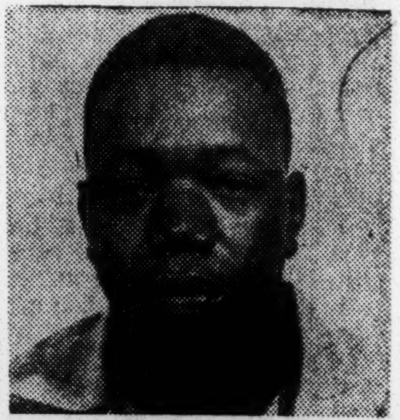


Sat. 11-7-53

DR. "DICK" PRICE
. . . met violent death



CURTIS ALEXANDER
. . . his wife "wasn't sick"



LAWRENCE DUKES
. . . didn't touch the doctor

Call Probe In Death Of White Boy By Negro Cop

TOLEDO, OHIO — An inquest into the death of a 16-year-old white burglar, killed by a bullet from the gun of a Negro policeman, was ordered last week by Dr. W. Hollis Burrows, acting Lucas County coroner.

Patrolman Joseph Ben shot the youth, John A. (Pee) Loe, after he had dived through a plate glass window and twice refused to heed the warnings of police to surrender.

Loe and a companion, Charles M. Farmer, 20, were surprised inside a cafe after they had forced entry. The older youth surrendered when told he was covered by police revolvers.

Loe, apparently panic-stricken, crashed through the window, scrambled to his feet and fled, with Patrolmen Ben and another officer in pursuit.

Sat. 12-5-53

Ben told his superiors that he shouted several times to Loe to halt. When the youth continued to run, the officer fired a warning shot, then a second shot which struck the fleeing Loe in the neck. He died twenty minutes later in a hospital.

White Man Gets Chair For Fatal Shooting Of Negro

COLUMBUS, Ohio, Feb. 9.—Louis Allen Angel, 19-year-old white former marine recently paid the supreme price for murdering a colored number writer who had befriended him by giving him a lift in his automobile on March 4, 1952.

Angel went to his death in the electric chair in Ohio Penitentiary for the fatal shotting of Allen Drake. Angel was the "trigger man" in the slaying of Drake. With a fellow marine, Harmon Godfrey, 18, of Mooresville, Ind., he was hitchhiking on Route 40 when Drake picked them up.

The pair repaid Drake's kind gesture by forcing him from his car. Angel then shot him. Drake was found dying along the highway near Kirkersville.

Angel originally was scheduled to die Aug. 14, 1952, but was given a reprieve until Nov. 21 by Gov. Lausche so a further study of the case could be made. The November execution was postponed until last week as a result of the disturbed prison conditions following the Hallowe'en night riot of penitentiary prisoners. His companion, Cordray, was acquitted of the murder in a separate trial.

When Angel went to the chair, he reportedly had a smile on his lips. The wiry, thin-faced Huntington, W. Va., youth told guards who strapped him in the chair:

"Good guys. You're all good guys."

Advocate
Feb. 14-53
p. 8
Jackson, Miss.

13c 1953

PENNSYLVANIA

FIND CHARRED, BEATEN BODY OF GAMBLER IN CAR

T3C-Pa

Ambler, Pa., Aug. 1 (AP)—A blazing Cadillac coupe, found early today along a rural road with the charred body of a Negro man lying on the back seat, started police on a hunt for an arsonist-slayer and the motive for the crime.

Tribune

The dead man was identified hours later by a half-brother as Ira Clarance Brown Jr., 33, of Philadelphia, owner of the Cadillac.

Sun.

Police said Brown had a record of four arrests on gambling charges, the last on March, 1951, when he was placed on parole for a year on a count of operating a gambling place at his home. Police said Brown was known to carry large sums of money.

8-2-53

Chicago

Find Iron Bar Near Car

Def

Dr. John C. Simpson, deputy coroner of Montgomery county, said after an autopsy that the 30 year old victim had suffered extensive skull fractures. An iron bar was found near the burned car.

p2

A discharged .32 pistol shell was found underneath the body but Dr. Simpson said the autopsy had not disclosed any bullet wound of the head or vital organs. The body was charred in the blaze, which was so hot it melted the glass windows of the coupe.

Neighbors living near Brown's home said they heard him drive away with a party of friends about 2:30 a. m.

Second Car Burned

A little more than an hour later, two travelers along the road 6 miles north of here and 15 miles from Philadelphia spotted the flaming car, and warned neighbors who called the police. The body was not discovered until after the fire had been extinguished.

Somewhat later and about 6 miles away in lower Moreland township, police found a second burned car, a 1948 Pontiac sedan. A police check showed it had been licensed by a Philadelphia resident but no one could be found at the listed address.

Carolina Farmer Hunted In Slaying of Girl, Friend

PAMPLICO, S.C., Dec. 10 (AP)—Police tonight sought a Negro farmer as the chief suspect in the search for the killer who shot a young girl and her boy friend and hacked off the girl's head.

The hunt, spurred by the discovery last night of the head of 15-year-old Betty Clair Cain of Pamplico and the body of Henry B. Allen, 22, of Latta in an abandoned well, turned to eastern North Carolina today.

Florence County Sheriff John Hanna and Lt. Roy Williams of the State Law Enforcement Division left here at mid-day for Tarboro, N. C.

They went there after a manhunt for the suspect in the Florence - Pamplico area proved fruitless.

Meanwhile, Gov. James F. Byrnes announced in Columbia that South Carolina, aroused by the grisly double murder, would pay $1,000 reward for evidence sufficient to convict the slayer or slayers of the couple.

Police turned their attention to the Negro, whose name was withheld, after hearing he had been missing from home since Sunday night, the night of the slaying presumably occurred.

The Negro was last reported seen before dawn today. Police quoted his wife as saying he had told her that he was going to Tarboro "to see my lawyer." The woman, held as a material witness, also reportedly told police he had a "thirty-or something" caliber pistol. Officers found none of his clothes at his home.

Police reported they had learned where the killer had obtained three burlap sheets which were found in the well with the girl's head and Allen's body. The odor of kerosene on the sheets led officers to speculate that the killer might have planned to burn them.

Constitution p 25

Atlanta Ga.

S.C.

Fri. 12-11-53

S. C. Double-Murder Suspect Implicates 6'2" Sharecropper

PAMPLICO, S. C. — (INS) — Aroused citizens joined state and local police Thursday in a search for a sharecropper suspected in the decapitation slaying of a 15-year-old Pamplico girl and her boyfriend.

Police Chief Harvey Cross said the "chief suspect" is J. C. Page, 36, a six-foot, two inch Negro farmer.

Cross said a 25-year-old white man was picked up last night for questioning when his footprints were believed to match the barefoot prints found near the scene of the crime. Cross said that this man's statements pointed to Page as the number one suspect.

Pretty Betty Clair Cain and H. B. Allen, 22-year-old Korean veteran of Latta, S. C., were shot to death at close range Sunday night. Both were badly beaten and the girl's head was severed, apparently with a shovel.

CORPSE, HEAD IN WELL

The girl's body was found Monday night, buried in a shallow grave, on a cliff-like bluff overlooking the Pee Dee River about three miles from Pamplico. Her head and Allen's body were found in an abandoned well several miles away Wednesday night.

It was only then that authorities discovered the girl, as well as Allen, had been shot to death.

Townsfolk locked their doors and lights burned throughout the night in many homes as indications were the murderer might still be in the vicinity.

Bloodhounds were brought in from Columbia yesterday to aid the search for the suspect Page. Chief Cross said that the search was extended to Tarboro, N. C., Page's original home.

Cross said a witness was found who told of giving Page a ride in his car late Sunday. The man said Page had a "snub-nosed .38 caliber pistol." He was let out of the car in the vicinity of the Pee Dee Riverbluff where Miss Cain's body was found later.

Page's wife said her husband came home about daylight Monday changed his clothes and disappeared again with the suit he had been wearing the day before. He reappeared at home about 1 a. m. Thursday, ask his wife, "Has anything happened?" and then ran off before she could reply.

World

13C

Atlanta Ga.

Fri 12-11-53

p. 1

13c 1953

Legal Sentence (South Carolina)

Sentenced To Chair 2nd Time

P. 1

SPARTANBURG, S. C. Jan. 17 —(INS)— Raymond Fuller, 27, was sentenced for the second time to death in the electric chair on a conviction of murder.

The 27 year old Negro was found guilty of slaying L. B. Mooreman, 28, Spartanburg insurance man.

Judge G. Duncan Bellinger Set Feb. 26 as the date for the electrocution at the state penitentiary after all grounds for a 10-point motion for a new trial for Fuller were overruled.

Atlanta, Ga.
Jour
1-18-53

Carnival Man Given 2 Years In Knife Slaying

GREENVILLE, S. C., Oct. 28 (AP). Circuit Judge J. B. Pruitt of Anderson sentenced Robert Edward Newman, 23, to two years imprisonment after he changed his plea to guilty of manslaughter in a murder trial that began today in Greenville County General Sessions Court.

Newman, a carnival worker, was accused of stabbing Joe Cunningham, a Negro, to death in a drinking party April 17.

Judge Pruitt said he thought Newman should serve some time for associating with Negroes.

"God made us different," the judge said. "He could have found some white people to associate with." The judge emphasized that he had respect for the Negro race.

Constitution
P. 40
Atlanta Ga.
Thurs
10-29-53

Murder No Crime, But Associating With Negroes Is

GREENVILLE, S. C. — A 23-year-old white man, on trial here last week for stabing a Negro to death during a drinking party April 17, was cleared of a murder charge but sentenced to two years imprisonment for "associating" with colored people.

Chicago Def.
P. 1

Circuit Judge J. B. Pruitt of Anderson said in sentencing Robert Edward Newman, a carnival worker, "God made us different. He could have found some white people to associate with.

Sat. 11-7-53

Newman was accused of stabbing Joe Cunningham to death following an argument at a drinking party.

Sheriff Shot, Forced To Drive Assailant 14 Miles To Memphis

Commercial Appeal

Wed.

3-4-53

MEMPHIS, Tenn. — (INS) — A Mississippi constable was shot thru the chest Monday, then forced to drive his assailant 14 miles to Memphis before the officer could seek first aid.

W. A. Durdin, 28, said he was shot while attempting to arrest a man and three companions near Horn Lake, Miss. He said that after the shooting he spent 20 minutes pleading with the man not to shoot him again.

13c

He said the man forced him to drive to Memphis, where he jumped from the car and fled. Durdin drove on to a hospital. His condition was reported as good.

R3

13c

Commercial Appeal

WANTED — Arkansas and Mississippi police joined in the search yesterday for Joe Hale, 41-year-old Negro, wanted for questioning in connection with the Thursday night slaying of Reber H. Starnes, Millington service station operator.

NEGRO HALE IS HUNTED IN MILLINGTON KILLING

Commercial Appeal

Sought In Three States For Quizzing In Shooting Of Reber Starnes

D.I

By JOE DERBY

A three-state manhunt was launched here yesterday for the shotgun-slayer of a Millington service station owner.

Memphis, Tenn.

Sheriff James E. Thompson said Joe Hale, 41-year-old Millington Negro, is being sought for questioning in connection with the killing of Reber H. Starnes, 45, owner of Starnes Service Station on Highway 51 near Navy Road.

Sat. 5-2-53

Bloodhounds Lose Scent

Bloodhounds from the Shelby County Penal Farm were used by sheriff's deputies yesterday to track Mr. Starnes' killer. Sheriff Thompson said the animals lost the scent a few miles from the service station.

13c

Mr. Starnes was shot down by a charge of buckshot as he stood between two gas pumps at his station at 8:50 Thursday night. Mrs. Bessie Starnes, the victim's wife, watched the tragedy from inside the station.

Several Negroes, including Hale's wife, Georgia, were being questioned by deputies yesterday. They were arrested early in the morning.

J. T. Rogers, station attendant, told officers that early Thursday night Mr. Starnes had refused a $5 loan to a Negro. Mr. Rogers said the Negro was drunk and that after an exchange of words he lunged at Mr. Starnes. According to Mr. Rogers, Mr. Starnes struck the Negro over the head with a flashlight.

Left With Threat

The Negro left with a threat "to come back with a shotgun," Mr. Rogers said.

Deputies said Mr. Rogers noticed a parked car with Negroes in it when he left for home, shortly before 9 p.m. The car was across from the filling station. Mr. Rogers said he returned to the station 10 minutes later to find his employer's body beside a gas pump.

Mrs. Starnes said she knew the Negro who came to the station, but didn't know his name.

Sheriff Thompson described Hale as five feet, nine inches tall, and weighing between 145 and 150 pounds. He said Hale has a scar on his left forehead at the hairline. The description was broadcast by State Police in Tennessee, Arkansas and Mississippi yesterday.

Services for Mr. Starnes will be held at 2 this afternoon at the First Baptist Church at Millington. Burial will be in the Helen Crigger Cemetery at Munford, Tenn., with National Funeral Home in charge.

SHERIFF GRABS NEGRO IN MILLINGTON KILLING

Joe Hale, 41, Confesses He Shot Reba H. Starnes At Service Station

By BOB MARKS

A 30-day hunt by Sheriff James Thompson and his deputies paid off yesterday morning with the capture of the Negro farm hand charged with the shotgun slaying of Reba H. Starnes, Millington filling station operator.

13c

Commercial Appeal

The Negro, Joe Hale, 41, was caught about 11 a.m. by Lieuts. Sid Hall and John Hewlett, who broke into the farm tenant house where the Negro was living one and one-half miles east of Brunswick. The officers had been summoned by squad car Deputies R. R. Scott and Buddy Hathcock, who received the first tip on Hale's whereabouts.

Memphis, Tenn.

Signed Confession Claimed

Hale signed a confession to the Starnes murder in the County Jail after having first orally admitted the slaying, Sheriff Thompson said. The Negro told of having tried to borrow $5 from Mr. Starnes at his filling station on Highway 51 North at the Navy Road intersection the night of April 30. He said he ran from the station after Mr. Starnes struck him with a flashlight.

Sun. 5-31-53

Hale said he returned to his home nearby, grabbed his 12-gage shotgun loaded with one shell of No. 4 buckshot and returned across the road from the station.

"Full Of Whisky"

Sheriff Thompson said Hale hid in high grass across the highway until Mr. Starnes walked outside the office to the gas pumps. Then he fired the shell.

Commercial Appeal

Hale blamed the shooting on the fact that he was "full of whisky," which he had been drinking since early the day of the slaying, Sheriff Thompson said.

The Negro said he hid during the daylight hours and walked at night seeking to move away from the Millington area. Hale claimed to have eaten only twice from the Thursday night of the shooting until about a week later, when he started work on the Brunswick farm. Once aonther Negro gave him some bread and again he said he bought 35 cents worth of bologna sausage and bread at a country store.

13c

The capture of Hale resulted from an alert broadcast through the county by Sheriff Thompson and his staff. Each deputy was assigned to the task of spreading the information by word of month that the sheriff's office wanted to know if a strange Negro was working in any section of the county. The word was passed to whites and Negroes daily as the deputies attended their duties throughout the county.

Sheriff Thompson said Deputies Scott and Hathcock were stopped yesterday morning by a white man. He gave the deputies a description of Hale and told them where he could be found.

He Was In Bed

The deputies summoned Lieutenants Hall and Hewlett, and the four went to the farm house. Lieutenant Hewlett walked through the inlocked front door while Lieutenant Hall broke down the rear door and entered. Hale did not resist as the deputies yelled, "put 'em up." He arose from the bed to a sitting position with hands over his head.

A reporter asked Hale how he felt about his capture.

"I'm glad they got me without killing me or beating me up or anything," Hale said. "I'd give up before, but I was scared — scared they might do something to me."

Besides the deputies who were present at the capture, Sheriff Thompson had praise particularly for Lieuts. George Grantham and J. V. Jowers and Deputy E. O. Blankenship Sr., who lives at Millington.

"These men were especially assigned to the case since the shooting and worked night and day to help bring the search to a successful conclusion," Sheriff Thompson said.

13c 1953

Virginia

Action Seen As Precedent In Va. History

Wife Ignorant Of Husband's Alleged Affair With Blonde

BULLETIN

ALEAXNDRIA, Va. — Mrs. Eleanor Wellborn pleaded not guilty to the charge of murdering Russell Bundy last November when arraigned in Corporation Court here Friday; and her trial was continued to Feb. 9.

Afro-American

ALEXANDRIA, Va.—Indicted by the grand jury on a first-degree murder charge, Tuesday, Mrs. Eleanor Wellborn, white, will be arraigned in corporation court this (Friday) morning at 10 in the parking-lot slaying of Russell Bundy, 34, of Fredericksburg on the afternoon of Nov. 20.

13c

Afro-American

Oldtimers in Virginia said that it was the first time in their recollection that a white person had been indicted for first-degree murder in the killing of a colored person.

Va

P. 14

Bundy was shot in an Alexandria parking lot as he sat in his car with Mrs. Wellborn and another white matron, Mrs. Mary M. Purks, 52, of Woodbridge.

Baltimore.

Said He Did Her 'Wrong'

At the time of her arrest, police quoted Mrs. Wellborn, who is 34, as saying that she loved Bundy and he had done her "wrong."

Ind. 2-7-53

She was taken into custody on an Alexandria street not long after Bundy, shot in the forehead, slumped into the lap of Mrs. Purks who was seated in the car between Bundy and Mrs. Wellborn.

Mrs. Purks asked passerbys to call police who later said that Bundy's race "was not apparent" either to them or to the doctor who pronounced him dead at Alexandria hospital.

Knew He Was Colored?

Handsome and fairskinned, the slain man was the son of Mrs. Lelia Bundy and the husband of the former Miss Rebecca Grimes. Both his mother and his wife live in Fredericksburg where he worked as colored at the American Viscose Corporation.

Associates and relatives of Bundy's said that Mrs. Wellborn knew he was colored and that she had been seen in a barber shop for mixed patronage and in a colored beer garden in Virginia.

She reportedly had also been seen in Bundy's car near the Fredericksburg plant where he worked and had known him for about a year.

Met In White Diner

Mrs. Purks was described by police as having been acquainted with Bundy for about a month and as being unaware of his racial identity.

On the forenoon of the day Bundy was shot, she was said to have met him in a white diner at Woodbridge. They then drove to Franconia, it was reported, where Mrs. Wellborn was reluctant at first to join them, but finally accompanied them to Alexandria.

Driving to the parking lot, where he was killed, Bundy was said to have bought two pints of whiskey from which he and Mrs. Wellborn drank as the three sat for about three hours in the parking lot.

Family Didn't Know

Bundy was shot with a .32 calibre revolver which was in the glove compartment of his car.

His wife, stunned with grief, refused to talk with reporters after the tragedy and shunned a news photographer at his funeral in Essex County.

END OF INTERRACIAL ROMANCE:

Blonde Gets 2 Years For Killing Her Lover

13c [illegible] Va

ALEXANDRIA, Va. — Mrs. Eleanor V. Wellborn, 34-year-old blonde matron, was sentenced to two years in the state penitentiary last Monday after an all-white jury found her guilty of involuntary manslaughter in the slaying of Russell Bundy, her married colored lover.

Afro-

Declaring that she had "little will power" to end the affair, Mrs. Wellborn told the jury of intimate relations with Bundy whom she shot to death last Nov. 20 in an Alexandria parking lot.

Ind. 4-11-53

Charged with first-degree murder, Mrs. Wellborn showed unusual calm as she denied recalling the actual shooting, but she described events leading up to the fatality

Baltimore, Md.

The slaying following a drinking bout in the parking lot where Mrs. Wellborn, Bundy and another white woman, Mrs Mary M. Purks, 52, sat. The latter also testified.

Mrs. Wellborn said she and Bundy sang his favorite song, "Let's Live A Little Before We Say Goodbye," as they drove towards Alexandria.

Admitting that she had sexual relations with Bundy, Mrs. Wilborn declared that she did not end the relationship when she found out he was married.

"I didn't because I thought I would forget my husband," she testified. "I found out that I couldn't. However I just didn t have the will power to tell him (Bundy) to stop coming to see me."

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2 YEARS WITHOUT SOLUTION:

Fiery Death Of Norfolk Pastor Still A Mystery

13c Va

NORFOLK, Va. (ANP)—Two years have elapsed since the fatal gasoline burning of the Rev. Joseph H. Mann in Norfok, and the torch death is still a mystery to police and citizens. The minister almost burned to death on the sidewalk on Saturday night, May 25, 1951.

The first report was that the 38-year-old pastor of Union Christian church was burned in what appeared to have been an attempt to set fire to a home at 739 Roswell st. The victim's clothes were burned almost off him as he lay in front of the house when police were summoned to the scene.

Not one statement the pastor told police has been substantiated. The two white men whom the pastor reportedly said kidnapped him and carried him to the spot where he was burned have never been seen or identified. His story was this:

The white men forced Rev. Mann to get into their car at gun point, and forced him to get out of the car on Roswell st. and follow them in an alley between 737 and 739 Rosewell st.

Dies 3 Days Later

The captors told the pastor: "We want you to help us run some colored people out." After he got into the alley, there was an explosion, and the white men tried to push him into the fire. Rev. Mann died of burns three days later.

Afro-American

P. 18

Another mystery of this burning is [illegible] a star witness to the burning in the street disappeared after he went with the police car to the Norfolk Community hospital that night with the pastor.

Baltimore Md.

He has not been seen or located s[illegible]

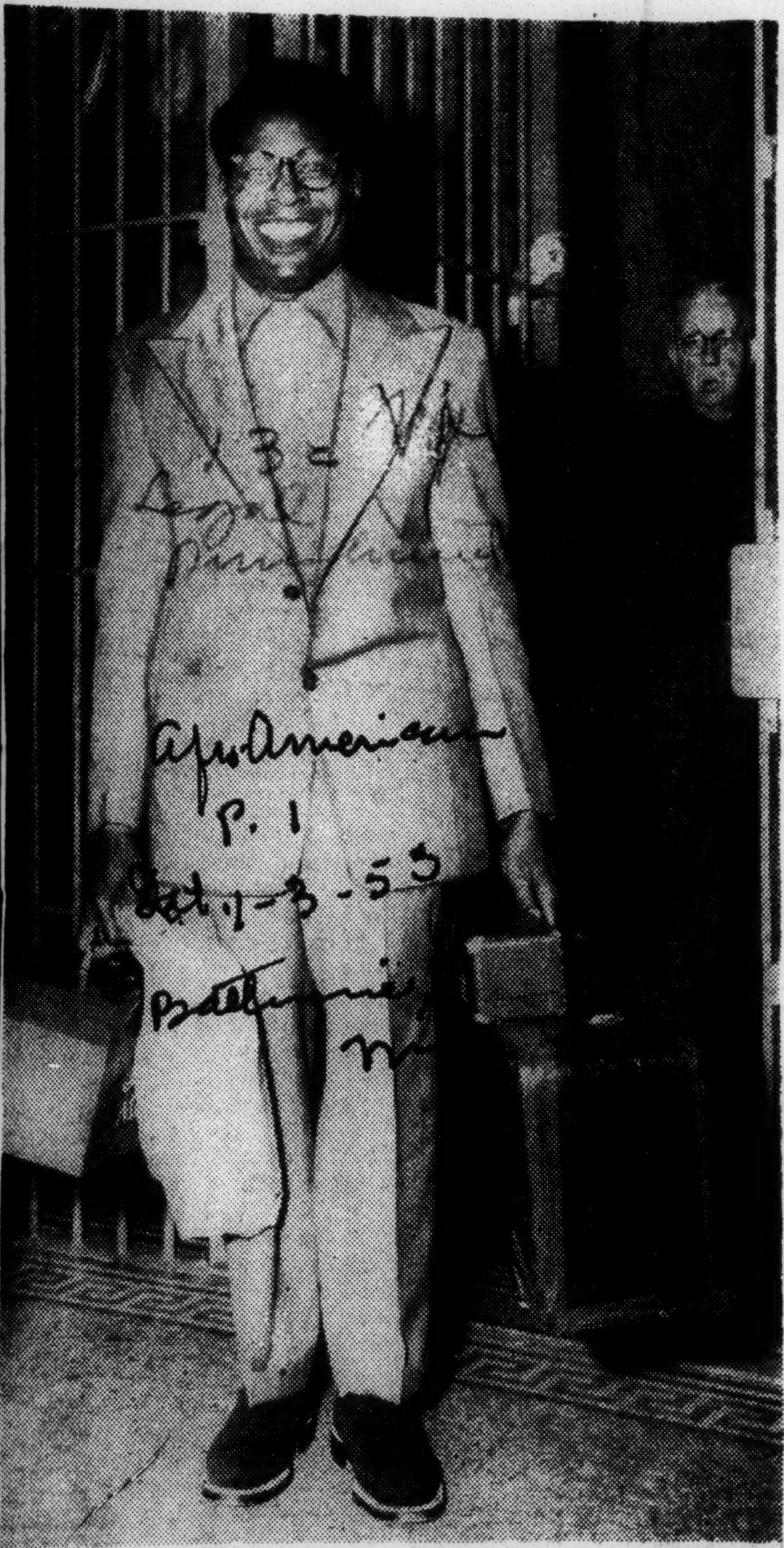
Ind. 5-30-53

The man gave his name as Robert Simpson, 27, and said he lived at 1112 Walker ave., in the Berkley section of Norfolk.

A Robert Simpson of that address later went to police headquarters to volunteer the information that although his name was Robert Simpson, he was not on Roswell st. on the night of the burning of the pastor and that he knew nothing about it except what he read in the daily papers. He admitted, however, that he was 27 years old.

How the first man happened to know the name, age and address of the real Robert Simpson without being well enough known by some one in the crowd that night to be identified is another mystery of the burning.

Freedom After Nine Years



13c Va.
Legal Punishment

Afro American
P. 1
Sat. 1-3-53
Baltimore Md.

Smiling Silas Rogers leaves the Virginia State Penitentiary cell block after being granted a pardon by Governor John S. Battle.

Sentenced to die for the slaying of a policeman, a nine-year investigation proved him innocent of the crime.

Silas Rogers Wins Pardon In Cop Killing

13c Va

Governor Says False Testimony Was Given; To Visit Sister

RICHMOND

The nine-year effort of a Richmond newspaperman to free a man who had been convicted on false testimony of killing a policeman and sentenced to death, paid off Tuesday morning when the man walked out of the State penitentiary here, pardoned by the governor.

Afro American
P. 1
Sat. 1-3-53
Baltimore Md.

Silas Rogers, the 30-year-old innocent man, smiled broadly as he left the prison and told AFRO reporters "Gee this fresh air smells good."

Walking at his side was the man largely responsible for his release, Jack Kilpatrick, editor of the Richmond News-Leader.

Kilpatrick was a reporter for that paper when Rogers was arrested early on the morning of July 18, 1943 and was beaten so brutally that he "confessed" killing Officer R. B. Hatchell of the Petersburg, Va. police department.

Off To See Sister

Clad in a blue stripped suit, a brown sport shirt and wearing blue sole shoes, Rogers was grateful as he shook hands with Kilpatrick, the Rev. Mr. and Mrs. C. L. Evans and newspapermen who met him at the prison gate.

Asked about his plans for the future, Rogers said he first wanted to get in touch with his sister, Mrs. Mattie Birch of 222 Court st., Newark, N.J., who did not yet know he had been freed.

Witnesses Falsified

In granting the pardon on Monday, Gov. John Battle said:

"I have studied this case for many months and have found that the state's two principal witnesses testified falsely and that if their testimony is eliminated, there is not enough evidence to establish that degree of certainty necessary for a conviction."

Gov. Battle said his conclusion was based on evidence adduced since the trial and was not available to the trial court or the Virginia Supreme Court which sustained Rogers' conviction.

Most of that evidence was uncovered by Mr. Kilpatrick working with newspapermen in five other states.

Met By Attorney

Among the first to meet Rogers was Robert Cooley, NAACP attorney of Petersburg, who defended Rogers at the trial, and Bob Rhay, a special investigator for the Court of Last Resort. At the time Rogers was convicted so many citizens believed in him that over $3,000 was raised in a fund for his defense.

The state maintained that Rogers had left his job in a Miami beach barber-shop in Florida to return to his home in New York; that he had ridden a train to Raleigh, N.C., where he got off and stole an automobile.

Conflicting Testimony

The commonwealth contended that Rogers was driving the stolen car through Petersburg when Officer Hatchell caught him and that the officer was killed in the struggle.

Rogers testified that he had traveled by freight train from Florida to Hamlet, N.C. where he secreted himself aboard a northbound passenger train the Silver Meteor. He said he had been discovered by a railroad employee, ordered to get off the train at Petersburg and that he left the train at Petersburg but waited in the station there until 8:30 a.m.

Officer Hatchett was killed at 7:40 a.m. almost one hour earlier. Rogers said he asked directions and found his way to a bridge on U.S. Highway 1 where police arrested him.

Jury Didn't Believe Him

He said he was on his way to New York to report to his draft board.

At the time of his trial Rogers could not produce the railroad employee who ordered him off the train. The jury refused to believe his story and found him guilty.

Mr. Kilpatrick enlisted the aid of other newspapermen in Miami, Fla., Jackson, Tenn., Raleigh, N.C., New York City and Newark, N.J. to round up the missing witnesses and other evidence that resulted in Rogers' release.

Man Who Spent 9 Years In Death House Spent Christmas, 1952, With His Family

Afro-American 8,19. Baltimore, Md.

NEWARK

Silas Rogers, 30, whose thrifty habits almost cost him his life, came home last week to an exciting freedom and Christmas celebration with his family and friends from Richmond, Va., where he was sentenced to death nine years ago.

He was convicted on false testimony at his trial in Petersburg, Va., where he was charged with killing Patrolman R. B. Hatchell on July 18, 1943.

New evidence, uncovered by white editors in Richmond, Florida, New Jersey and North Carolina and Argosy Magazine's (N.Y.), "Court Of Last Resort" inspired Governor John S. Battle to give Rogers and unconditional pardon Tuesday, Dec. 23.

Trapped By Ambition

His ambition to become a top-ranking musician — he played the saxaphone in the state prison band in Richmond — and his desire to save all he can to further his musical education are the virtues which almost made him walk "the last mile" for a crime he did not commit.

His troubles started when, after working at a Miami (Fla.) hotel shining shoes for the same man who employed him in New York, in 1943, he hopped a freight train in Florida to Hamlet, N.C., then hid on the north-bound express, "The Silver Meteor."

He was discovered in Petersburg and put off the Silver Meteor then started to hitchhike.

Had Funds But Begged Way

An hour after the Petersburg officer was killed, Rogers was arrested as a suspect on a bridge on U.S. Highway No. 1.

The irony of his predicament was, that Rogers did not have to hop a train or hitchhike to get back to Newark, where he made his home with his sister, Mrs. Mattie Birch, 222 Court st.

She told the AFRO Christmas Day that her brother, whom she had raised since his mother died when he was about eight years old, had his fare back home, was always thrifty, and never left home without funds.

"His obsession is music," Mrs. Birch said. "He was always ambitious to be a great saxaphone player and to be starred in a big-time band. Every dollar he can spare goes toward music lessons."

Week's Activities

Here is how Rogers spent his first week of freedom and Christmas last week.

Tuesday, Dec. 24: Arrived by plane in NYC from Richmond, Va., at 5:30 p.m. and was welcomed by Harry Steeger, publisher of Argosy magazine.

Two hours later, he was greeted by his sister, her husband, Albert Birch, and their son, Albert Jr., who were invited to NYC by Mr. Steeger.

Rogers was attired in a suit he made himself in the Virginia prison tailor shop where he earned 15 cents a day. He finished the suit on March 2, 1951.

Give God Thanks

The first thing he did when he arrived in Newark at 8:45 p.m. on Dec. 23 was to give thanks to God for his freedom and the many friends who helped him.

Dat 1-3-53

After greeting friends who awaited his arrival, he took a cross of Christ in his hand and said with emotion, "Thank you heavenly Father for my freedom."

He then played his saxaphone, washed up, ate a hearty supper then went to bed.

Enjoys Home Life

Wednesday, Dec. 24: Rogers arose early, had breakfast, played with his nephew, Albert Birch Jr., then was kept busy until late in the afternoon talking to friends and newspaper reporters in New Jersey and NYC.

He spent the rest of the day getting what he called a "freedom haircut and shave," mailing Christmas greetings to friends, and walking in his old neighborhood in the Third Ward where he has many friends of both races. In place of going to the movies, he went to bed early.

Up Early Christmas Day

Christmas Day: Rogers was awakened at 3:30 a.m. by his nephew and took it good-naturedly. He never went back to bed.

He helped the youngster put his toy train Santa brought together, and, after breakfast, relaxed with the family, playing intermittently on his saxaphone until after midnight. He went outside just briefly for some fresh air.

Friday, Dec. 26: Rogers left for New York City for a conference with the Argosy magazine publisher.

His sister told the AFRO that the publisher has given her brother a job in the magazine office and he plans to live in New York and pursue his musical studies.

Rogers may appear on a big radio or television program under the Argosy magazine auspices, his sister added.

She said the Richmond NAACP and C. C. Cooley, one of its legal advisers, are due a great deal of the credit for her brother's freedom.

"During the long ordeal, I made four or five visits to Richmond," Mrs. Birch said.

"I conferred with Mr. Cooley several times and I found him zealous and co-operative. I also was given the opportunity to make a personal appeal to the NAACP members who responded wonderfully."

Mrs. Birch and her husband contributed also to her brother's defense fund.

Two in for life on first degree murder are among 10 paroled

MONTGOMERY, Ala., July 22—(AP)—Two Negro convicts serving life sentences for first degree murder were among the 10 prisoners receiving paroles from the pardon and parole board during the week ending today.

During the week the board denied 33 applications for parole and revoked one that had been granted previously.

No pardons were granted or denied during the week.

The two life termers receiving paroles were:

Robert [illegible] Clay Bogan, sentenced from Mobile on Jan. 27, 1943.

Eddie Doyle, sentenced from Houston on March 21, 1934. He was paroled to Georgia. Doyle's record showed he escaped Aug. 6, 1939 and was recaptured the same day.

He has had two previous paroles. The first was granted Oct. 13, 1943 and was revoked March 8, 1945. The second was granted Jan. 16, 1946 and was revoked May 19, 1948.

THE OTHER PAROLES were granted to:

Jodie King Agee, sentenced from Marengo on Nov. 12, 1951 to serve five years for assault with intent to murder.

John Billie Coleman, sentenced from Morgan on Oct. 24, 1934 to serve [illegible] years for second degree murder. His record shows he had two previous paroles, one of which was granted March 12, 1941 and was revoked July 18, 1945, and the other which was granted Sept. 12, 1946 and was revoked Dec. 3, 1948.

Robert D. Drakeford, sentenced from Conecuh on March 6, 1952 to serve four years for burglary and grand larceny.

Raymond Godwin, sentenced from Jefferson on June 23, 1949 to serve 10 years for assault with intent to murder.

Mark Graham, sentenced from Baldwin on Oct. 1, 1951 to serve 373 days for practicing medicine without a license and three years for false pretense. He was paroled to Florida.

Clyde Miller, sentenced from Morgan on July 19, 1948 to serve 15 years for assault with intent to rob and robbery.

Louis Thomas, sentenced from Jefferson on July 6, 1949 to serve six years for burglary. His record shows he escaped Feb. 4, 1950 and was recaptured April 29, 1950, and escaped again on Feb. 10, 1951 and was recaptured about a month later.

Carter Washington, sentenced from Tuscaloosa on June 14, 1948 to serve 15 years for second degree murder. He was paroled to Michigan.

News

Birmingham News, Ala.

13d

13d

July 22-53

13d 1953 IOWA

Lifer Seeks Equality in Matter of Commutations, Paroles at Ft. Madison

13d Iowa

Fort Madison, Ia.—"At Present time, there is a posted list on our yard bulletin board, naming a list of life termers called for consideration for commutation. Again, we as Negroes were omitted from this list," revealed one of the Negro life-termers at the Iowa State Penitentiary, Fort Madison, in a recent letter to the press.

"But, a footnote on this bulletin gave us that same old warmed-over sop, by saying another list is to follow.

'Better Luck'

"This—'Better-luck-next-time' routine has grown just as shop-worn, as we are passed up time and again, as we, day by day, grow older, and older and a bit more hopeless, being continually ignored when the powers that be decide to temper justice with little mercy.

"No wonder the state that symbolizes the figure of justice is always blind-folded," commented the inmate. "For I venture to say—even though the figure is only a symbol, it would get enough to puke if it could see what is being done in its name."

"We are not seeking, nor ask preferred or special treatment; we merely ask that we be accorded equality in the matter of paroles, commutations and treatment in general.

"If our former records as citizens, our prison records as inmates, time served and general conduct merit consideration, then we ask that our cases be gone into searchingly and looked over in a fair, reasonable and unbiased manner, so that as human beings with hearts, hopes and feelings, as other humans, will receive treatment which is just, right and without prejudice because of race, creed or color.

Fully Aware

"We are fully aware that the Board of Parole has its own peculiar policy in the matter of recommending lifers for commutations, and in the recommending of, or granting conditional releases or paroles, but it is all too evident from their actions over the past fifteen years that discrimination against our people is obvious to all concerned.

"And, we believe that when such a situation reaches an intolerable state that the power of the press, should be utilized to inform the tax-paying public of civic and religious leaders; many of them are unaware of the situation.

Past 15 Years

"During the past fifteen years only two Negroes have been granted executive clemency. As of this date there are 149 men serving life sentences in Iowa State Penitentiary. Twenty-nine of these or almost twenty percent of the total are Negroes. Twelve have served more than 20 years each. One has served 40 years; one, 39 years, one 34; one, 31; one, 29; two 27; one, 26; one, 23; two, 22; and one, 21 years.

"Ten others have served anywhere from eleven to eighteen years each. It is a matter of record that 99 percent of these Negro lifers are first termers, with no prior criminal record, and yet, time and again we are by-passed when clemency is being considered or granted. Other inmates, many of them serving identical sentences, for same type of crimes, with previous criminal records and much less time served have been commuted and later paroled.

"Facts regarding our (lifers) Negro's plight will have to be made known to people who believe in and practice democracy and the rights of all human beings in it," the Negro lifer at Iowa Seate Penitentiary wrote.

Bystander

Des Moines, Iowa

p 1

Thurs 53 11-19

Bystander

Thurs 11-19-53

13d Iowa

Clarke County Sheriff Shoots Negro Witness

Advertiser
Montgomery, Ala.
[illegible] 12-29-53
P.3
13e
Adv

GROVE HILL, Ala., Dec. 28 (AP)—A Negro taken to Mobile last fall under protective custody as a government witness against Clarke County Sheriff Jenkins A. Hill in a liquor conspiracy trial was fatally shot by Hill today.

Moses Jones, Bessemer, Ala., was the second person killed in the sheriff's presence since the government began investigating operations of an alleged illegal liquor ring in Clarke County.

Hill said he had returned Jones to Grove Hill from Bessemer on a fugitive warrant signed by Thomasville, Ala., Mayor D. C. Wilkinson, when the Negro jumped him "and tried to take my gun away."

Jones tried to take his gun after the handcuffs were removed, Hill claimed, and "I shot him three times." No one saw the shooting, Hill said, although a prisoner, Ralph Ralker, "may have heard the whole thing."

The Negro was returned here because of a liquor fine, Hill said.

Hill, Sam Deas, Kushla, Ala., night club operator, and Pat Rone, Jackson, Ala., used car dealer, were tried here last fall in a liquor conspiracy case. The trial ended in a mistrial when a federal jury failed to agree.

At the trial, Jones testified that he was severely beaten with a pistol and walking stick in Clarke County when he failed to agree to sell whisky under a protective arrangement with the sheriff. He claimed that Hill received $2 per gallon protection money on moonshine whisky sold by the alleged ring.

During the trial, defense attorneys contended that Jones and two other government witnesses were trying to "get even" with Hill because he had arrested them on liquor charges.

Jones, who was taken to Mobile under protective custody when he told U.S. Attorney Percy Fountain that he was afraid of being harmed, testified he refused a proposition to sell liquor for Hill and Deas under a protection arrangement.

He said that four weeks after he refused, Deas and G. C. (Doc) Allen beat him and "told me not to be caught in Thomasville again."

In January, 1952, Allen was shot to death by Deas in Deas' night club. Sheriff Hill was in the club at the time.

Deas admitted firing the fatal shot and was arrested, but a Mobile County grand jury failed to indict him.

In the liquor conspiracy trial, a government investigator testified that Allen agreed to help the government in its Clarke County investigation. Shortly after this, Allen was killed, he said.

The federal jury which failed to reach a decision in the case was reliably reported to have favored by a 10-2 margin convicting the three men. No date has been set for a new trial.

The Christian Benevolent Funeral Home at Thomasville said Hill brought in Jones' body about 6 a.m., and that Jones was dead on arrival. Two bullets entered the body from the front, one going into the heart and the other above the heart.

NAACP Claims Clarke Negroes Afraid To Report Mistreatment

Advertiser
Montgomery, Ala.
P.1
[illegible] 12-30-53
13e
Adv

BIRMINGHAM, Dec. 29 (AP)—A National Association for Advancement of Colored People official charged today Negroes in the Clarke County section are afraid to make formal complaints of mistreatment.

Mrs. Ruby Hurley, regional NAACP secretary here, announced the organization has asked federal authorities to probe the killing of a Negro prisoner by Sheriff Jenkins Hill yesterday.

She said the NAACP office here also is conducting an inquiry into the slaying of Moses Jones after he was brought to Grove Hill for failing to pay a Thomasville liquor fine.

"Reports indicate Moses Jones was shot three times by Sheriff Jenkins Hill when he, Jones, attempted to take the sheriff's gun away from him," she said.

"It is known Jones testified against the sheriff in a federal liquor trial a few months ago, that he had requested protection and had moved from Clarke County to Bessemer because he feared for his life.

"The NAACP has had previous complaints against Sheriff Hill, but we have been powerless to act, because intimidation has made the Negroes in that section afraid to sign affidavits or anything else. . . .

"We have talked with state and federal authorities here in the state, and our Washington bureau has submitted a formal request for an investigation and action to the Department of Justice."

Mrs. Hurley said the Jones killing reminded her of the Groveland case in Florida.

Two Negro prisoners were shot while being returned to Lake County to face trial on charges of raping a young white woman. Sheriff Willis McCall claimed the Negroes attacked him. One prisoner was killed and the other wounded.

U.S. Probes Alabama Jail-Slaying Of Negro Witness Against Sheriff

Constitution
Atlanta, Ga.
Wed. 12-30-53
13e
P.3

WASHINGTON, Dec. 28 (UP)—The Justice department is investigating the fatal shooting of a Negro by the Clark County, Ala., sheriff, a department spokesman said today.

He made the disclosure after the National Association for the Advancement of Colored People demanded "prompt and vigorous prosecution" of the sheriff, Jenkins A. Hill.

Clarence Mitchell, director of the NAACP Washington bureau, said in a telegram to Assistant Attorney General Warren Olney that the victim, Moses Jones, a witness against Hill in a federal liquor case, was "unarmed and in Clark County jail" when killed Monday.

Hill claims the shooting was in self-defense. He said Jones tried to grab his gun when he removed his handcuffs and "I shot him three times."

"I just beat him to the draw, that's all," the sheriff said.

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P.2 Constitution
Wed. 12-30-53
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13e

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"I just beat him to the draw, that's all," the sheriff said.

Police Shooting Of Henderson Ruled 'Justifiable Homicide'

By MARCEL HOPSON

The nine-day-old police shooting of 25-year-old John Henderson, who was reportedly burglarizing a local high school, was ruled "justifiable homicide" by Coroner Joe L. Hilderbrand shortly after the victim died at Jefferson-Hillman Hospital, around 10 o'clock Wednesday morning.

Henderson, investigating homicide detective, said was allegedly shot by Patrolman J. H. Holt when the victim allegedly attempted to avoid arrest after being reportedly caught in the manual training building of the Ullman High School on Southside, Thursday night, July 23.

P. 13e

Tues. 8-4-53

Officer Holt and his partner, J. E. Johnson, arrived on the scene and surprised the burglar suspect in the building shortly after receiving a "burglar in the building" call from nearby residents, it was learned. The officers said when they spotted Henderson, he had broken into a cabinet. They said the suspect moved a miter box toward a window shortly after he entered the building through a window on the front.

Birmingham Ala.

SHE REFUSED; HE BEAT HER

Mrs. Orabela Hollis, 37, of Dora, Ala., was beaten about her face and right hand and kicked in the stomach, allegedly by Robert Snow, of this city, around 9 o'clock Wednesday night, reportedly at the home of Mrs. Willie Mae Wright, at 1309 Avenue J, Ensley, police learned from her and a witness.

Mrs. Hollis told police that Snow allegedly assaulted her with his fists and feet because she refused to go on a date with him.

Mrs. Wright was identified as a witness, police said.

"FREE RIDE COSTS $17"

Well, the old "pigeon" dropped on Miss Sara Bell Thomas, of 218 North Fourth Avenue, last week, police learned from her.

Officers quoted Miss Thomas as stating that, around 2:45 Thursday night, an unidentified man picked her up in his car and told her that he had found a purse containing a large sum of money.

She further stated that he promised that he would give her a share of the "huge sum" for some surety (money from her to put with it). She said she gave the unidentified male friend $17 cash and he politely took her home.

Miss Thomas said the man promised that he would return with her share but did not show up.

EXTENSIVE BLADE TESTING

Willie James Davis, 24, of 1605 N. Tenth Avenue, was treated for knife wounds in his chest, stomach and on his leg at Hillman Hospital on Thursday night, police said.

Davis, officers learned from witnesses, was stabbed allegedly by Johnny Todd, 27, of this city, near Powderly Avenue in East Avondale, 20 minutes before midnight Thursday.

The victim was identified as a son of Mrs. Mary Davis, of 1605 North Tenth Avenue.

Marvin Todd, Mrs. Mildred Todd and Mrs. Mildred Hilliard, all of Apt. F, 4820 Powderly Avenue, East Avondale, were listed as witnesses to the cutting, police said.

MOTHER SEEKS DAUGHTER

Police were seeking the whereabouts of 24-year-old Miss Mildred Thomas, of 1529 South Ninth St., this week, who was reported last seen at an address, 1501 North 5th avenue, on May 5.

The missing young woman was described by her mother as being about five feet, two inches tall, weighing 125 pounds, having a light complexion and a mole on the right side of her upper lip.

Further descriptions disclose that she is in poor health, but mentally good.

Tues. 8-4-53

Her mother, Mrs. Willie B. Thomas, said she was wearing blue jeans and a white blouse when last seen.

Anyone knowing the whereabouts of Miss Thomas is urged to notify her mother by calling: 4-1105 or 7-1595.

Negro Escapee Shot To Death

8-13-53

OZARK, Ala., Aug. 12—A Negro convict who escaped from a road gang this afternoon was shot to death by an Ozark city policeman tonight, the Highway Patrol at Dothan announced.

Patrolmen identified the Negro as Jake Thomas, 21. The name of the officer was not learned immediately.

Advertiser

The Negro escaped from a road gang working on a bridge at Newton shortly after noon today.

State, county and Ozark officers, aided by prison dogs, joined in an intensive search throughout the area for the escapee. Patrolmen said he was spotted near a drive-in theater south of Ozark.

When policemen closed in on him, patrolmen revealed, the Negro "pulled a knife" and officers shot him.

Police Officer Indicted; Fatal Shooting Of Man

13e a

ANNISTON, Ala. —(SNS)— Police Officer O. T. Bushard was indicted on a charge of manslaughter in connection with the fatal May 17 shooting of Charles Pope, 21 of Anniston.

World

The indictment against Bushard was among those returned by the Grand Jury last week and filed in the Circuit Clerk's office.

Birmingham, Ala.

The indictment read that Officer Bushard unlawfully, but without malice, killed Pope by shooting him.

PRELIMINARY VERDICT "SELF-DEFENSE"

On May 18, Calhoun County Coroner A. B. (Bowie) Jones rendered an "informal" verdict of "self-defense" after a hearing at which Police Commissioner W. S. Weatherly, Chief J. L. Meek and other officers connected with tthe case were present.

Pope, who became the third Negro killed by law enforcement officers in Alabama during 1953, died at Memorial Hospital about 1:45 o'clock that afternoon suffering from a single bullet wound which penetrated his body.

Pope, according to reports, was scheduled for induction at Fort Benning, Georgia, on the following Monday, May 18. He had reportedly passed his induction test. He had served time at Kilby Prison for theft, it was said, and He had served time at Kilby had been arrested twice before on minor offenses.

World Birmingham, Ala.

Officer Bushard said that his car was dispatched to a West 15th Street Hotel to investigate a reorted rowdiness complaint. Pope was arrested, he said, but broke away from officers at the hotel door and fled.

Tues. 9-1-53

The two officers separated in the chase and Bushard said Pope allegedly attacked him with a knife in an alley, jumping him from behind a building, Bushard claimed further that he—shoved Pope away from him with one arm, drew his pistol and fired once at the victim.

13e a

Choctaw sheriff, two deputies surrender in civil rights case

MOBILE, Ala., Oct. 1—(AP)—Choctaw County Sheriff Curvin M. Covington and two of his deputies surrendered to the U. S. marshal here today to an indictment charging them with violating civil rights of a Negro woman.

13e a

Surrendering with Covington were Deputies Ottis G. Wainwright and Harry Leon Clark Jr.

P. 1

An indictment returned by the Federal Grand Jury here Tuesday charged the three officers with beating Mrs. Mallie Pearson of Halsell, Ala., with clubs, sticks and a belt to force her to supply information or a confession to an alleged offense.

News 10-1-53 Birmingham, Ala.

THE ALLEGED BEATING took place in a field between Halsell and Butler last April 3, the indictment stated. She was reported to have been picked up at Halsell and driven out of town.

The indictment said the alleged beating was inflicted without due process of law in violation of her rights guaranteed by the 14th Amendment to the Federal Constitution.

Choctaw is a rural county in Southwest Alabama.

The three officers were arraigned before U. S. Commissioner Alex T. Howard, and were released under $1500 bond. Their trial date will be set later.

"All I know about this case is what I read in the indictment," Sheriff Covington said. The two deputies declined to comment.

THE INDICTMENT, which listed two counts, did not state the nature of the case Mrs. Pearson was being questioned about at the time of the alleged beating.

Try Mobile Sheriff Who Beat Woman

R5

MOBILE, Ala.—Choctaw County sheriff, Curvin M. Covington, and two of his deputies, charged with violating the civil rights of a Negro woman will go on trial in Federal District court here, Nov. 16.

Covington and Deputies Ottis G. Wainwright and Harry L. Clark, Jr., were charged with forcing Mrs. Mallie Pearson to supply information to an alleged offense by beating her with clubs, sticks and a wide, thick leather belt last April 3.

10-31-53

The trio pleaded innocent to the indictment charging them with violating the woman's civil rights when arraigned in federal court last Wednesday.

Ala. Deputy Slays Man

13e a

BESSEMER, Ala. — Jefferson County Deputy Sheriff George W. Alexander, Nov. 12, reportedly fatally shot Willie Gaston, 22-year-old Pratt City man, who allegedly resisted arrest.

P. 11

Deputy Coroner T. J. McCollum returned a finding of justifiable homicide.

Gaston died at a Birmingham hospital. The bullet entered the victim's neck, investigating officers said.

Sat. 11-21-53

ALEXANDER, according to Deputy Sheriff Clyde W. Lvorris, went to raid a still near Rockview Beach, about five miles west of here. A tussle reportedly ensued, with Alexander opening fire.

Nov. 3, Henry Berry, 67-year-old preacher and yardman and Birmingham police officer Fred R. Brockman, 52, died in a gun battle.

Man Allegedly Shot By Police Remains In Critical Condition

By MARCEL HOPSON

A world War II veteran, who was mysteriously shot allegedly by a Brownville, Alabama policemen 11 days ago, remained on the "critical condition" list and his condition "unchanged," a Veterans Administration Hospital official reported last [illegible] night.

12-4-53

CAUSE OF SHOOTING STILL A MYSTERY

The victim is Clarence Webb, 35 of Powderly and veteran of two years se[illegible] down allegedly [illegible] yet "unidentified" policeman about [illegible] blocks from his home, sometime between 11 p. m. and 12 o'clock midnight, Saturday, November 28 it is reported.

The Brownville Police Department was still unavailable, Sunday, for comment on the shooting. Brownville is a small community located near the city limits of Birmingham.

William H. T. Webb, of 517 No. 13th Avenue, Birmingham, a brother of the victim, told a Birmingham World reporter Sunday night that "cause or reason" for the shooting of his brother has not been given or explained to him by top officials of the Brownville Police Department.

However, Webb said, Brownville police officials said they had not "placed any charges" against his wounded brother.

Webb said for the first time, on Sunday evening, his brother was able to talk "a little bit."

INSPECTING A FENCE

Mr. Webb said that in, the course of the brief conversation, his wounded brother told him that he was returning home alone in his car driving down the main highway on the road between Powderly and Oxmoor. The victim said that as he turned off the highway into an alley-like road headed toward his home, the car accidentally scraped a fence surrounding a residence. He said that shortly after he got out of his car to inspect the fence, another car suddenly drove up, with one of the occupants allegedly firing a pistol at him. Webb quoted his brother as saying that he ran only after he was shot. He further quoted his wounded brother as saying that the occupants in the car "did not identify themselves" but during the shooting and his attempting to run he learned that the occupants had alighted from an automobile with the insignia reading "Brownville Police Department on the side doors.

12-9-53

Webb said his brother told him that he was returning home following a visit in the Oxmoor community.

SHOT IN BACK

Mr. Webb said that contrary to a daily newspaper story, evidence from a medical examination showed that his ex-soldier brother was "shot in the bcak" instead of the abdomen. He said the bullet lodged in the victim's abdomen after failing to go completely through the body.

Birmingham, Ala.

The daily newspaper reported further that the European War theatre-veteran was "found by police in an alley behind the home of Charles Reeves of 3016 Balsam Avenue, Powderly. Webb quoted Mr Reeves as saying that he "heard someone groaning behind his house," went out to inspect and discovered it was the wounded victim.

WOUNDED IN ACTION

Webb said his brother was wounded several times "in action" while serving in Germany and several other battle-zones in Europe during World War II. Webb said his brother is a student at the Wenonah State Trade-Vocational School studving upholstery.

FBI ordered to investigate sheriff, prisoner shooting

News

Birmingham, Ala.

GROVE HILL, Ala., Dec. 30—The Federal Bureau of Investigation has been ordered to investigate the fatal shooting of a Negro prisoner by Sheriff Jenkins A. Hill of Clarke County.

P.2

Warren Olney III, attorney general in charge of the U. S. Department of Justice, criminal division in Washington, announced that the FBI has been ordered to look into the case after a report from U. S. Attorney Percy Fountain of Mobile.

The shooting victim was Moses Jones, 35, Bessemer auto mechanic and former Clarke County farmer, who testified against Hill and two others in a liquor conspiracy trial in September.

Sheriff Hill returned Jones from Bessemer early Monday on a six-months-old fugitive warrant from Thomasville, Ala., where Jones had not paid a fine. The sheriff said shortly after removing Jones' handcuffs in the Clarke County jail, the prisoner tried to take away his gun and he shot him three times.

Wed. 12-30-53

JOE YORK, Thomasville, Ala. councilman and town marshal said he had authorized McKinley Holt, Bessemer friend of Jones, by phone Sunday night to send a check for the overdue fine and to have Bessemer officers or the Clarke County sheriff call him to verify this.

York said "I even agreed to pay the difference if there was one and let Jones or Holt repay me or if there was an overpayment to rebate the difference. I did not have the records at hand when Holt called me and did not recall the exact amount."

Holt had called on advice of a Birmingham federal court official in an attempt to settle the overdue liquor fine owed by Jones, who moved to Bessemer after it was levied.

Holt said he had reported his conversation with York to Bessemer officers who were holding Jones, and offered to pay the $154.25 to them for transmitting to Thomasville. Holt said he and another friend of Jones also offered the payment to Sheriff Hill, who said he could not legally accept it.

York said he did not receive a call from Bessemer officers or the Clarke sheriff regarding his agreement with Holt.

IN ADDITION to the FBI, Circuit Solicitor Edward P. Turner, the U. S. Alcohol and Tobacco Tax Unit, and the National Assn. for the Advancement of Colored People also are looking into circumstances of the case.

In Birmingham, Mrs. Ruby Hurley, NAACP regional secretary, said "The NAACP has had previous complaints against Sheriff Hill, but we have been powerless to act because intimidation has made the Negroes in that section afraid to sign affidavits or anything else."

Solicitor Turner and Associate State Toxicologist Nelson Grubbs conferred with Hill and with the sheriff, viewed the body at a Thomasville funeral home.

GRUBBS SAID in a preliminary report that Jones was killed by three bullet wounds in the spleen. The bullets entered the chest cavity from the front of the body, he reported. The toxicologist is making additional tests before submitting a final report.

The funeral home earlier said there were three bullet holes in the body but thought one was the result of a bullet passing through the body.

Jones was a government witness in a federal liquor conspiracy trial of Sheriff Hill, Sam Deas, Kusla, Ala., night club operator, and Pat Rone, Jackson, Ala., used car dealer. The hearing ended in a mistrial.

RONE WAS arrested by alcohol tax men a week ago and charged with transporting bootleg whiskey. He is under $1000 bond, pending federal court action.

At the Sept. 21 trial, Jones testified that he refused a proposal to sell liquor for the men under a protection set-up. He moved to Bessemer and asked federal court officials at Birmingham for protective custody when he was returned to Mobile to testify.

U.S. to Order Inquiry Into Killing of Negro

By the Associated Press.

GROVE HILL, Ala., Dec. 29.—U.S. Attorney Percy Fountain said he would ask an investigation of Sheriff Jenkins Hill's killing of a Negro. The victim had testified against the sheriff at a liquor conspiracy trial.

P.4

Mr. Fountain announced at Mobile that he would ask agents of the U.S. Alcohol Tax Unit to look into the shooting here yesterday of Moses Jones of Bessemer, Ala.

Circuit Solicitor Edward P. Turner said at Chatom last night that Mr. Hill had asked him to make an investigation. Mr. Turner said the Clarke County grand jury would look into the shooting next spring.

Tues. 12-29-53

Mr. Hill reported he had shot Jones three times yesterday when the Negro jumped him and tried to take his gun.

The sheriff said he had brought Jones back from Bessemer on a fugitive warrant signed by Mayor D. C. Wilkinson of Thomasville, Ala. He said Jones had failed to pay a liquor fine.

Sheriff's Killing of Negro Probed by FBI in South

By the Associated Press.

GROVE HILL, Ala., Dec. 30.—FBI agents today joined state and other federal agencies in investigating the killing of a Negro prisoner by Sheriff Jenkins Hill.

P.5

The FBI was ordered into the case yesterday by Warren Olney 3rd, assistant attorney general in charge of the criminal division of the U.S. Department of Justice.

Wed. 12-30-53

Moses Jones, 35, of Bessemer Ala., who had testified against Sheriff Hill in a liquor conspiracy trial earlier this year, was shot to death at the Clarke County jail yesterday.

Sheriff Hill had returned Jones from Bessemer because of an unpaid fine the Negro owed in a Thomasville liquor case. The sheriff said he fired when "Jones jumped me and tried to take my gun away."

Jones was a government witness in a federal liquor conspiracy trial of Sheriff Hill, Sam Deas, a night club operator of Kusla, Ala., and Pat Rone of Jackson, Ala., a used car dealer. The case ended in a mistrial.

The Negro testified that he refused a proposal to sell liquor for Sheriff Hill and Mr. Deas under a protection arrangement. He was placed in protective custody during the trial at Mobile because he said he was afraid of being harmed.

Detective rushes to aid partner, shoots man to death on downtown street corner

A Birmingham city detective, to save the life of his partner on the police force, Saturday shot to death an advertising solicitor for a Birmingham weekly newspaper.

The shooting occurred during the early afternoon on a downtown street corner.

13e Ala-

Shot fatally through the right side was Al Hamilton, about 35, who was identified by police as an advertising solicitor for The Union Labor News.

"It was either him or my buddy," said Det. Charles L. Pierce, former Birmingham police chief and longtime police officer.

"I couldn't let him shoot Earl."

Pierce was referring to Det. Earl Heaton, a veteran of 30 years' service on the force.

News P. 1

Gone to arrest

HE AND HEATON had gone to Fourth-av and 22nd-st, n, to arrest Hamilton and another man they identified as a solicitor for the same weekly, Albert Williams, 64, of New York City. Hamilton was said to be from Indianapolis, Ind., originally. He and Williams were staying together at a Southside tourist home.

Pierce said Bill Brown, of The Union Labor News, had asked police to arrest the two men for embezzlement. Pierce quoted Brown as saying the two men had been selling ads for the weekly paper and collecting for those ads "and there had been a shortage."

* * *

THE TWO DETECTIVES had been tipped where to find Hamilton and Williams.

They spotted the two men on the corner of Fourth-av and 22nd-st, n—across the street from The Birmingham News.

Det. Heaton was first to get out of the police car.

He seized Hamilton by the arm, telling him he was under arrest, witnesses said.

Pierce said he saw Hamilton reach into the brief case he was carrying and pull out a gun.

Det. Heaton then seized Hamilton's wrist with both his hands, and the two men fell to the sidewalk struggling for possession of the weapon.

Pierce said he then jumped from the police car and came to his partner's rescue.

Jan. 1-25-53

"I pulled my gun and hit Hamilton on the head with it three times trying to separate him from Heaton," Pierce said. "The blows didn't even faze him.

"Heaton had both hands on Hamilton's wrist, but Hamilton managed to get the gun pointed at Heaton's stomach, and Hamilton pulled the trigger of his gun once. Luckily for Earl, the gun misfired.

"At the same moment, I fired at Hamilton, and my gun misfired, too, because it had been knocked out of line when I struck Hamilton on the head.

"I fired again, before Hamilton had a chance to shoot again, and my gun went off this time, and Hamilton was killed.

"I couldn't let him shoot Earl."

* * *

WHILE THE two detectives were scuffling with Hamilton, another man, who was not identified, grappled with Williams, holding him until help arrived.

Williams was questioned at police headquarters, and then booked at City Jail for embezzlement.

Detectives Heaton and Pierce were taken to West End Baptist Hospital for treatment, Pierce for an injured foot and Heaton for lacerations of the knees, hands and arms.

Pierce said he wasn't sure, but he thought the bullet from his gun may have passed through Hamilton's body and then struck his (Pierces') instep.

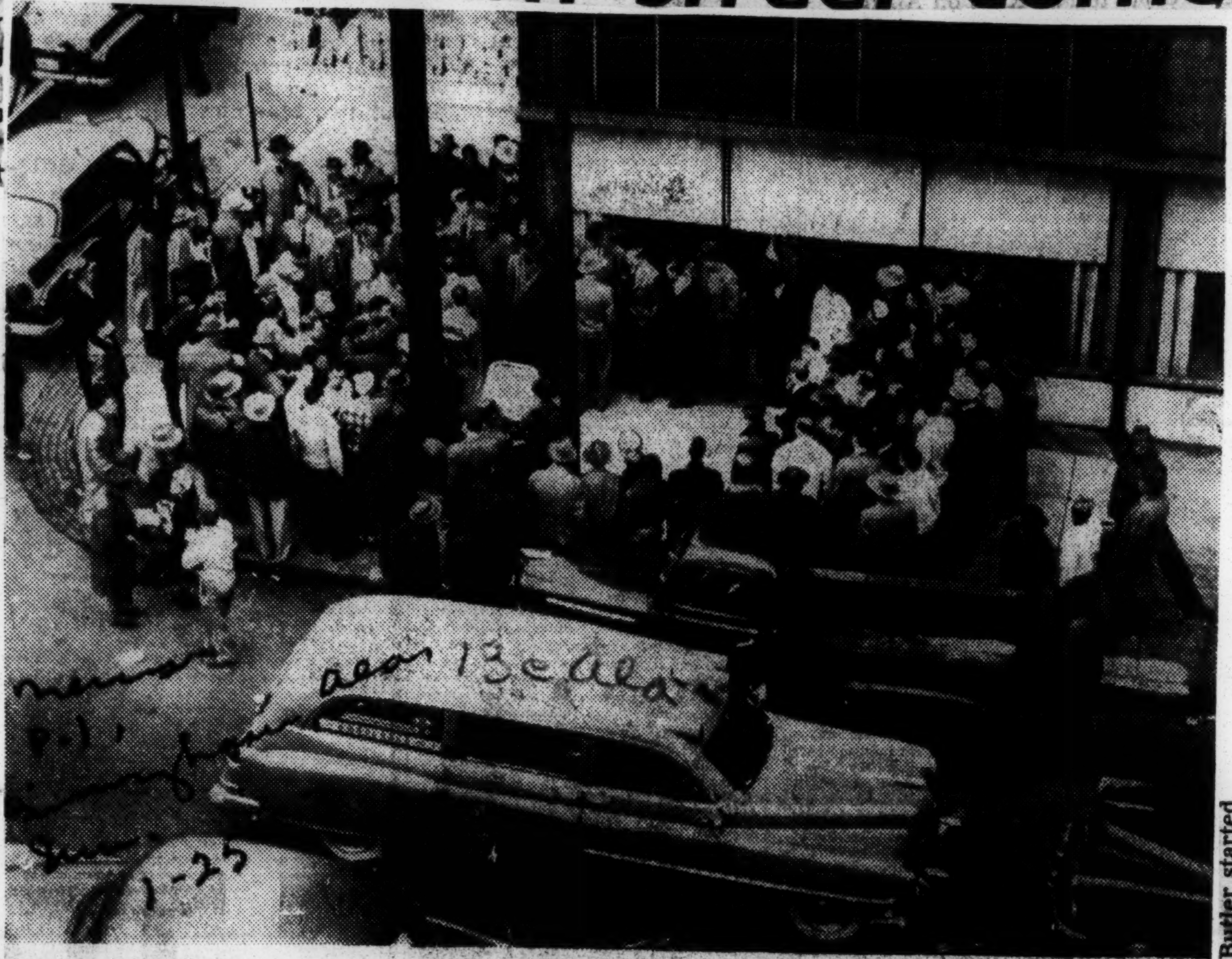
As Hamilton's body lay on the sidewalk, Detective Heaton stood nearby repeating over and over: "I'm the luckiest man in the world to be alive."

Asst. Coroner J. O. Butler started an investigation, along with homicide detectives of the Birmingham Police Department.

Hamilton's and William's fingerprints were taken to establish positive identification.

1-25-53

Slain man—Here is a picture of the man shot to death by a police officer Saturday. He was identified as Al Hamilton, resident of a Southside tourist court.

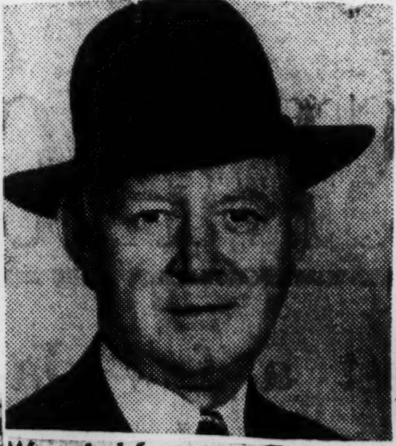


13e Ala

1-25

Shooting scene—This picture, taken from a window of The Birmingham News Building, shows crowd gathered about the sheet-covered body of the man fatally shot by Det. Charles Pierce early Saturday afternoon. The man, tentatively identified as Al Hamilton of Indianapolis, Ind., was reported to have pulled a gun on Det. Earl Heaton, who was arresting him for embezzlement and larceny.

Charged with embezzlement
—Albert Williams.



Wrestled for gun—Detective Earl Heaton.

Fired fatal shot—Detective Charles Pierce.

A Life Is Taken

In maintaining our public safety, the "long arm of the law" supplies the key functions — prevention, apprehension and enforcement. The "arm" must, of necessity, employ the use of hands — it should, however, temper its use of the hand.

During the past week, a Negro truck driver was shot by one of the "arms of the law." A coroner's jury has held that the shooting was "justifiable" though the deceased had no dangerous weapon on his possession. World p. 4

What might have been — should have been reasoned is, that regardless of the fact that one of two policemen seemed to be in danger of injury, it was, basically, a contest between two trained peace officers and one truck driver. 13 E Atlanta

It might have been reasoned that two alert, agile men (as policemen are supposed to be) could have over-powered one unarmed man. If it should develop that the two armed officers were unable to subdue the man without killing him, their fitness for police duty in a city like Atlanta should certainly be questioned. Ga. Jan. 1-18-53

There are too many techniques, familiar to soldier and patrolman alike, to disarm an armed man or subdue an unarmed man without bloodshed. Any one of a dozen methods could have been brought into use in such a circumstance. Jan. 1-18-53

An investigation of this and like circumstances should be made immediately by proper officials.

Officers who are alert and resourceful are, in the long run, of greater value than those who can only employ the anxious pistol.

Birmingham Negro Shot In Scuffle With Officer

Jan 2-8-53

BIRMINGHAM, Feb. 7 (AP)—A Birmingham police officer said he shot a 22-year-old Negro who drew a knife on him early today.

Robert Lower Jr., Birmingham, was shot once in the body during a scuffle with Patrolman J. W. Houston. His condition was listed as good at a hospital here. Advertiser P. 9

A police report quoted Officers Houston and W. F. Robinson as saying they saw Lowe standing in the shadow of a Southside building and stopped their patrol car to investigate. Lowe ran, but was caught by Houston after a one-block chase. 13 E Montgomery Ala

Houston said he fired when he saw a knife in the Negro's hand. Police court records showed Lowe has been twice convicted on charges of assault with a knife.

Officer shoots youth in Southside chase

A Birmingham police officer shot and wounded a 22-year-old man who, he said, drew a knife on him early Saturday. News

Wounded was Robert Lowe Jr. of 485 Iota-st, who was reported in good condition at Jefferson-Hillman. P. 1 13 E

Lowe was shot by Officer J. W. Houston on Eighth-av. s, between 15th and 16th-sts. Officers Houston and W. F. Robinson said they saw the Negro standing in the shadow of a building. They stopped their car to investigate. Ala. Birmingham

When the officers got out, Lowe ran. They chased him a block, before he was caught by Houston.

After stopping the Negro, the officer saw he had a knife. In the ensuing scuffle, Lowe was wounded. Lowe, officers said, has been twice convicted in Recorder's Court for assault with a knife. Feb 2-7-53

Murder By Ala. Cop To Be Probed

Defender P. 1 Chicago Ill.

MOBILE, Ala. — The Mobile NAACP Saturday protested to the Mobile police department and the city commission the slaying of a 25-year-old man by two "trigger-happy" cops last Thursday night on crowded Davis ave. Dec. 4-18-53

The man, Junior Smith, was shot dead in front of the Variety store by Patrolmen William Kern and Charles DelHomme. Kern was said to have fired the fatal shot.

Smith was an escapee from the city jail where he was serving a sentence on a disorderly conduct charge. Kern said Smith failed to submit to arrest when approached in the Rock tavern, where he was sitting at a table. 13 E

NAACP PROTESTS

The NAACP protest, filed by Secretary J. L. LeFlore, said that witnesses have provided the NAACP with statements that Smith was shot while holding his hand up to surrender. The NAACP asked Police Chief Dudley McFayden and the city commission to make a thorough investigation of the incident, with the hope that proper disciplinary action will be taken against the officers involved in the slaying. The NAACP said Smith's killing was the second in recent months by Mobile police—both victims were Negroes.

Selma Negro Slain After Stabbing 2

13 E Ala

SELMA, Ala., April 29 (AP)—A berserk 38-year-old Negro was killed by two policemen after he stabbed one of them today, the officers reported. Advertiser

Sylvester Hodby was shot to death at his home by Patrolmen R. F. Poole and Billy Turner. They had answered a complaint that he had chased his wife and two small children away and stabbed a Negro neighbor, Mose Derico. P. 1 Montgomery

Hodby ignored two warning shots fired into the ground and advanced on the officers with a knife, they related. Both fired when he stabbed Turner in the arm. Ala. 4-30-53

Hodby had been arrested 13 times in recent months on drunk and disorderly charges, according to police records.

Probe Beating Of Ala. Teacher

Chicago Del.

MOBILE, Ala. — The Department of Justice will be asked to probe the brutal beating of a woman school teacher by the chief of police in a south Alabama town and to "take proper action to protect the civil rights of the victim." Defender

J. L. LeFlore, Mobile NAACP secretary, said that names of the principals and the town will not be divulged at this time "because we do not want the teacher nor the Negro populace frightened by threats, which will surely follow. P. 1 Chicago Del. 5-23-53

The NAACP secretary said the 34-year-old teacher said she was kicked and viciously beaten by the police chief.

FBI Probes Killing, Beating By Police

Afro-American Newark N.J.

MOBILE, Ala. — The FBI moved in last week to probe two separate Alabama cases involving evidence of civil rights violations in the death of a 63-year-old paralyzed woman and the brutal beating of a 35-year-old school teacher by law enforcement officers. Dec. 7-6-53 P. 5

The investigations centered around Wilcox County Sheriff Lummie Jenkins and Police Chief Clarence Bryars of Atmore in Escambia county. 13 E

Jenkins is alleged to have struck down Mrs. Della McDuffie, a paralytic, with a rubber hose in her husband's little cafe at Alberta the latter part of April. Bryars was said to have assaulted Mrs. Corinne Hines, an Atmore school teacher, on May 3. Ala

Charge Cafe 'Invasion'

The Wilcox county sheriff and two highway patrolmen were said to have invaded Will McDuffie's crowded cafe shortly after midnight Saturday, April 2, swinging blackjacks and rubber hose because "someone was playing the juke box on Sunday morning."

Patrons scurried in all directions, some jumping out of windows, to avoid having their heads "cracked" with the blackjacks and rubber hose. Several shots were said to have been fired by the officers into the ceiling and floor to "scare the n—rs."

Invalid Beaten Fatally

The helpless Mrs. McDuffie, sitting in a rocker, was not spared by the officers, witnesses said. Jenkins was named as her assailant. She died less than an hour later. Det.

In the Atmore case, Mrs. Hines was said to have been assaulted by Bryars when she went to the city jail to make inquiry about the arrest of her husband by police officers at the Hines home shortly before the attack on her. 7-25-53

The Mobile NAACP, which investigated both cases, said Atmore citizens complain that the town "makes a racket" of arresting colored citizens on week ends for anything possible to provide the city court with revenue in fines on Mondays to help operate the town.

Teacher Kicked By Cop

Mrs. Hines was allegedly beaten, kicked and otherwise assaulted by Bryars.

J. L. LeFlore, Mobile NAACP secretary, said frightened tight-lipped colored witnesses in several instances failed to tell all they know about the two incidents.

The cases were presented to the Department of Justice through Thurgood Marshall of New York, NAACP special counsel.

Hold Ex-Officer On Murder Charge

JASPER, ALA.— A former Oakman, Alabama police chief, George A. Warren, returned here after more than a year's flight, is out on $3,5000 bond charged with the January, 1951 death of a Negro prisoner. World

The 42 year old ex-chief, was returned from Holtville, California to stand second degree murder charges. Arrested on a fugitive warrant, he waived extradition. He is accused of slaying Jesse Hood, of Oakman. 13 E Atlanta Ga.

July 14 more than a score of Oakman residents signed Warren's bond. Ala

The ex-police chief related that he answered a call at the home of another resident where Hood was allegedly creating a disturbance. He suggested that Hood struck him and drew a knife after the chief arrested him. Warren asserted that at this point he snatched out his pistol and let Hood have it. Aug. 7-23-53

Cops Suspended For Beating Negro In Birmingham

BIRMINGHAM, Ala.—Two local officers were suspended from the city police force because they whipped a Negro they thought smiled too much. P. 1

The city commissioner suspended Officers J. K. Goodwin and R. J. Slaughter for 15 days each.

E. H. Brown, acting police chief, told the commissioner that the officers stopped a Negro suspect for investigation and when the Negro would not stop smiling, the officers became annoyed and pulled him from the car and whipped him. Brown said later that the Negro suffers a facial affliction which gives him a perpetual smile. 13 E Ala

13e 1953

ARKANSAS

Trial Draws Huge Crowd to Rice City

13e Ark.

Intense interest which developed in the trial of two former policemen in Stuttgart packed the auditorium of the Arkansas county courthouse last Thursday, where Special Judge Joseph Morrison ordered the trial to be heard.

The two ex-officers faced charges of assault with a deadly weapon on Leroy Phillips, an eighteen -year-old Negro, public drunkenness, and with assault with intent to kill, and carrying a pistol. One officer faced an additional charge of assault to kill with a deadly weapon against Mrs. Estelle Ray (white) of Memphis, Tennessee. The complaint of Mrs. Ray is believed to have focused the attention of the public on the ex-officers. Phillips was brutally beatened by the officers Sunday, February 22.

State Press

State Press Ark.

Fri. 3-13-53

The ex-officers are Ellis Cheshire and B. L. Taylor. They were found guilty on four and three counts respectively in Thursday's court hearing, presided over by Special Judge Morrison.

Judge Morrison said before pronouncing the sentences that he was aware that it was a temporary conviction which would be appealed to circuit court.

He found both men guilty of being drunk, and assessed a fine of $25 each.

On the assault with a deadly weapon charge, both men were found guilty and sentenced to 30 days in jail and $250 each.

The charge was reduced from assault with intent to kill, which Judge Morrison said he did not believe was substantiated by the testimony.

A charge of assault with a deadly weapon by Cheshire on Mrs. Esetelle Ray of Memphis was dismissed.

Both men were found guilty of simple assault in the case which occurred in the city, and were fined $50 each.

Charges of carrying a pistol were dismissed against Cheshire because he was authorized to do so as an officer at the time, but Taylor was fined $50.

Appeal bond was set at $500.00 each.

Judge Morrison, presiding in the place of Milton Robinson, who disqualified himself, said the evidence fully sustained the convictions, and made preliminary remarks before handing down the judgment.

State Press

"An officer and his duties are sometimes misunderstood," the judge said, "and the officers are are given wide powers with great responsibilities".

Fri. 3-13-53

He pointed out that state statutes give full protection to officers, whereas a citizen in custody of officers has no protection.

"The important part of these offenses is that an officer—even off duty—can so far forget his responsibilities as to determine the guilt and inflict the punishment", Judge Morrison stated

"That is the duty of the court—and not the officer", he said.

Judge Morrison said, "The stain in this case is not only on the defendants or the city, it is on the citizens".

Virgil Moncrief, attorney for the defendants, entered a plea of not guilty for his clients on all charges save one, public drunkenness, on which they declined to plead.

State Press

Moncrief made it clear at the beginning of the hearing that whatever results in that court, an appeal would probably be carried into circuit court.

He said, "In view of the sensational treatment of this case in various newspapers, we want to submit it before a jury."

3-13-53

The defense attorney added that he would offer no defense testimony and would confine questioning witnesses to issues "not affecting the merit of the case."

Two attorneys from the NAACP legal redress committee were present during the trial.

13e 1953

Irate Stuttgart Hurls Charges Against Two Who Beat Negro

Commercial Appeal

Bar Association Elects Special Judge To Hear Case On March 5—Officials Tell Details Of Brutal Pistol-Whipping Of Young Victim

Wed 2-25-53 13e

(Pictures on Section Page)

P.1 Ark

By DICK ALLEN
Staff Writer

Memphis Tenn.

STUTTGART, Ark., Feb. 24.—The City of Stuttgart, aroused over the brutal beating of an 18-year-old Stuttgart Negro by a city policeman and an ex-officer, Tuesday charged the men with assault with a deadly weapon and public drunkenness.

A more serious charge, assault with intent to kill, punishable by a penitentiary sentence, and a fourth charge of carrying a pistol as a deadly weapon, will be placed against the pair Wednesday morning by an attorney for the assault victim, the attorney said.

City officials, following an inquiry of the Sunday incident witnessed by at least a dozen passing motorists who said they were terrorized by one of the attackers, moved swiftly against Ellis Cheshire, the patrolman, and B. L. Taylor, the former officer.

In Municipal Court

City Attorney Arthur Macom filed the charges against the two men in Municipal Court. Later, W. A. Leach, employed to represent Leroy Phillips, the attack victim, said he will file the additional charges Wednesday morning.

A hearing on all charges will be held at 10 a.m., March 5. Special Judge Joe Morrison set bond for each man at $500.

Cheshire, arrested early Tuesday, had made bond early Tuesday night, and was released from jail. Taylor, who was out of the city most of the day, was expected to be placed in jail Tuesday night.

Judge Morrison was elected by Bar Association members here after Municipal Judge Milton Robinson disqualified himself from hearing the case. He said he did so because he represents Cheshire in a divorce action against Cheshire's wife.

Severely Beaten

Phillips, severely beaten on the head and face, was in good condition Tuesday.

The attack occurred Sunday just off Highway 79, about a mile west of the city limits. Eyewitnesses said one of the attackers, later identified as Cheshire, was "staggering drunk" as he pistol-whipped the Negro boy and that he forced several cars at gunpoint to halt on the highway and witness the beating.

Commercial Appeal

Chief of Police Buddy Stringer, who has fired Cheshire, and Sheriff Harold Woodson Tuesday released details of their investigation.

Chief Stringer said Cheshire, who was off duty when he and Taylor attacked the Negro, left the City Hall about 6 a.m. Sunday after working all night and that he was "sober as a judge'" when he left.

Wed 2-25-53

Couldn't Get Whisky

"Cheshire told me in an oral statement that after leaving here he met Taylor and that Taylor had a small amount of whisky," Chief Stringer said. "He said they each had a small drink and started to a cafe intending to eat breakfast and go home and go to bed. But he said they wound up in the Negro section of town."

13e

The chief said Cheshire told him they met Phillips and asked him to buy them some whisky. The sale of whisky on Sunday is illegal in Arkansas.

Ark

"Cheshire said they gave Phillips some money and he went in a cafe, but came back and said he couldn't get any whisky," the chief continued. "Then they loaded him in the car."

The Negro earlier told The Commercial Appeal that after he was shoved in the car they drove him out on the highway and onto a side road and began beating him with a "coke bottle and a pistol." When Cheshire went to get a rope to tie him up, the Negro said, he broke loose from Taylor and began running toward the highway. Phillips said Taylor fired "at least two shots" at him. Phillips said the men caught him as he reached the highway and began beating him again and that Cheshire, waving his gun, forced several cards to stop. Phillips later was taken to his home by Taylor, who left Cheshire still standing on the highway.

Sheriff Disarmed Him

Sheriff Woodson said when he reached the scene he found Cheshire standing on the highway "with his pistol in his holster." He said there were several cars stopped and that Cheshire had been asking to see their drivers licenses. "It was obvious Cheshire had been drinking and in my opinion was drunk" the sheriff said. "I asked all the occupants of the cars if they had been abused or cursed by Cheshire and they all said no."

Sheriff Woodson said he disarmed Cheshire and drove him

Outrageous Assault

The manner in which local authorities and citizens of Stuttgart, Ark., have reacted to the outrageous treatment accorded a Negro near that community completely supports their reputation for decency and their regard for the rights of others. The Stuttgart policeman and his companion, a former policeman, have been taken into custody and will, we believe, be vigorously prosecuted. The policeman has been dismissed from the Stuttgart force, as he should have been.

Commercial Appeal

13e Ark

Wed. 2-25-53

That a Federal investigation will be made is a foregone conclusion, but we hope that action by Arkansas and Stuttgart authorities will be so swift and thorough that Federal prosecutive action will not be necessary. Remedial action in a case like this is always more effective and impressive when it originates at the local level.

Memphis Tenn.

STATE CHARGE FILED IN BEATING OF NEGRO

Commercial Appeal

Fired Policeman, Companion Face Hearing March 5 At Stuttgart

Thurs. 2-26-53

By DICK ALLEN
Staff Writer

P.1

STUTTGART, Ark., Feb. 25.—The state added a new charge Wednesday against a city policeman accused of beating a young Stuttgart Negro and forcing a group of Sunday afternoon motorists to witness the assault.

13e Ark

Pros. Atty. J. B. Reed of Lonoke filed a state charge of assault with a deadly weapon against Ellis Cheshire, who was summarily fired from the police force after he and B. L. Taylor, an ex-policeman, pistol-whipped Leroy Phillips, 18, because he would not buy them some whisky.

Other Charges Planned

Cheshire and Taylor already are facing similar charges lodged by the city, along with additional charges of public drunkenness. In addition, W. A. Leach, attorney for Phillips, said he definitely will file felony charges of assault with intent to kill against the two men, along with another charge of carrying a pistol as a deadly weapon.

Memphis

Mr. Leach said he had planned to file his charges Wednesday afternoon, but had been delayed. Assault with intent to kill is punishable by a sentence of one to 21 years in the penitentiary. Assault with a deadly weapon is a misdemeanor carrying a fine from $50 to $1,000 and up to a year in jail.

Cheshire and Taylor are both out on bond of $500 each. A hearing on all charges will be held in Municipal Court here at 10 a.m. March 5.

Memphians Witness

Prosecutor Reed said he filed the state charge after talking with Mrs. Herbert Ray of 4225 Truman Road, Memphis. Mrs. Ray, her husband and her daughter were among several eyewitnesses to the beating.

Mrs. Ray said they were halted on Highway 79 about a mile west of Stuttgart Sunday by a policeman in uniform who was waving a pistol. She said another man and the Negro boy, who had been badly beaten and appeared in a semi-conscious condition were standing beside the road.

Commercial Appeal

The Rays said the man later identified as Cheshire pointed the pistol at Mr. Ray several times, in between blows at the Negro's head with the pistol butt.

Thurs 2-26-53

The prosecuting attorney's office said the new charge was filed in behalf of Mrs. Ray in view of the assault on her, her husband and daughter.

Phillips, who was severely beaten on the head, said he was thrown into the car in which Cheshire and Taylor were riding after he told them he could not buy them any whisky on Sunday. He said Cheshire and Taylor were drunk.

Sheriff Harold Woodson, who investigated the incident, also said Cheshire was drunk when he picked him upon the highway shortly after the beating.

13e Ark

The trial of the two men will be before Joe Morrison, elected a special judge to hear the case by members of the Stuttgart Bar Association. Municipal Judge Milton Robinson disqualified himself because he said he represented Cheshire in a divorce suit.

NAACP Hits Beating Of Ark. Youth

World

P.1

13e Ark

LITTLE ROCK, Arkansas — (SNS) — The Arkansas State Conference of the NAACP has taken over the case of Leroy Phillips who was pistol-whipped by two peace officers on February 22.

Atlanta Ga.

Mrs. Daisy Bates, NAACP state president, said plans are already underway to raise funds to finance the case. She said the state branch will work with the Stuttgart, Ark., branch in the effort.

The two police officers who were fired after the assault are accused of thrashing Phillips on an Arkansas highway as passing motorists looked on. They had picked Phillips up in Stuttgart after he told them he could not find them any whiskey. Here is how Phillips related his story to state NAACP officials:

Sat. 3-7-53

The two men, Ellis Cheshire, night patrolman until relieved off duty by Chief Buddy Stringer and B. L. Taylor, a former patrolman, approached him in front of a cafe and asked him to get change for $10.00. When he returned with two five dollar bills, they asked him to go and get some whiskey. "I told them that I didn't know where I could find any but they told me to try and so I did. When I returned without any, one of them capght me in the back of my collar and put me in the back seat of the car," the 18 year old youth said.

FOUGHT BACK

Phillips said that the two men took him to the farm of another white man and began beating him. "When I saw that they were not going to stop" he stated, "I began fighting back. Then one of them held me while the other whipped me with his pistol."

When one of the two men gave out holding Phillips, he pushed the other one and broke and ran, jumped a fence and made it to the highway.

According to Phillips, he fell on the highway and the men caught him and began beating him again. There they beat him as motorists looked helplessly on.

MOTORIST THREATENED

One motorist who saw the brutal beating is reported to have been threatened by one of the men as she attempted to aid the Negro.

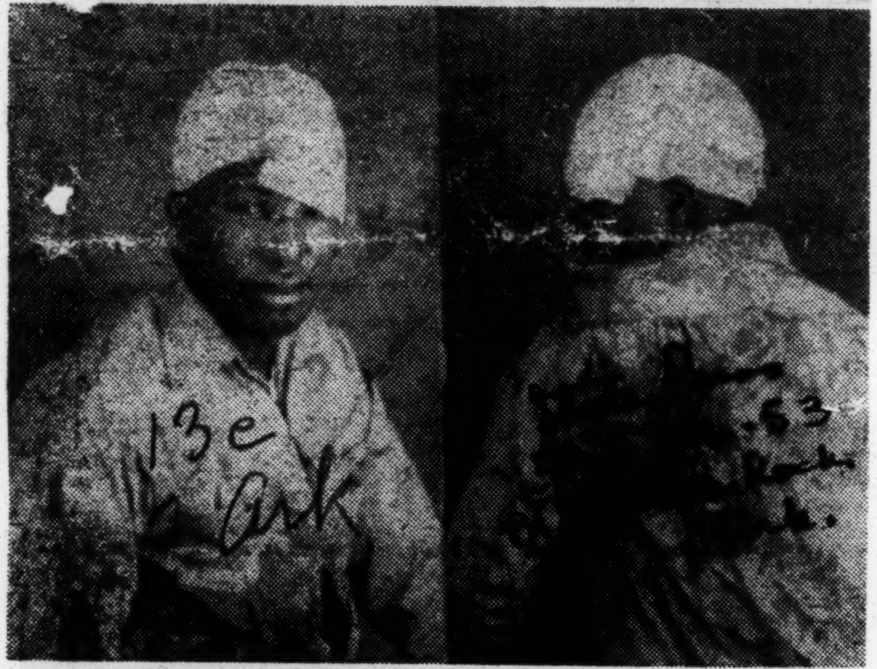
SHOTS FIRED

Another white man who heard the shots fired at the Negro as he ran across the field who came to find out what was happening was told to "get to h—away from here before we do the same thing to you."

The Legal Redress Committee of the State Conference of the N. A. A. C. P. met to look into the matter. The committee is composed of most of the Negro lawyers in Arkansas.

In the meantime the two men who are out on bond are being charged with two cases of assault. The city attorney has the two charged with "assault with a deadly weapon and the district attorney has them charged with "assault with intent to kill."

"He Ain't Hurt Much . . ."



Leroy Phillips, 18, Stuttgart youth who was pistol-whipped by a drunken cop, "because he couldn't get the cop any whiskey". This youngster was beaten up on a United States hiway, hiway 79, where the cop held motorists at gun point to witness his whipping a Negro on a Sunday afternoon. When the Stuttgart chief of police was questioned about his officer beating a man, reliable persons quoted him as saying, "Ah, just a drunk cop whipped a 'nigger' - he ain't hurt much".

State Press
[illegible] 5-6-53 Ark.
P.N. Little Rock

13e 1953

D.C.

Mother Says Cop Broke Her Arm

13e 13

WASHINGTON

"My God, my God, I've asked myself over and over, why did it have to happen to me?" These words were spoken by Mrs. Mildred Green, 38, of the 5300 block of Ames st., ne, as she lay in Gallingher hospital, Monday, her chest and left arm in a cast, and talked tearfully of "police brutality."

Mrs. Green was arrested Friday at 3 a.m. She reports that two policemen came to her door, bro[illegible] her barefooted to the 14th precinct station clad only in a robe.

Afro-American

NAACP to Intervene

In the meanwhile, Eugene Davidson, president of the Washington NAACP, which has been investigating the matter, asserted, "We will prosecute."

According to Mrs. Green, she was taken from her home while her 7-year-old son, Arthur W. Green Jr., was asleep.

Her lights were left burning, her front door opens, and her money was still in the house, she said.

Matron Tells Story

Mrs. Green told the AFRO that she was disturbed, Friday morning, by a knock on the door.

Dressed only in a blue and pink robe, the woman stated, she went to the door, after being told that it was the police.

"Did you call the police?" Mrs. Green quoted one of the officers as asking.

Baltimore Md.

When she denied having placed a call to the police department, Mrs. Green declared that the officers insisted that she was drunk.

Denies Accusation

"I am not drunk," she reportedly told the policemen, and invited them into her house to search it if they believd that anything was out of order.

"To prove I am honest, you can come in, although I know you have no search warrant," she alleges she told them.

The matron said that she was told, "Not to be smart," and that she was being arrested on charges of being drunk and disorderly.

Says Arm Was Broken

Sat. 7-4-53

One of the policemen, according to Mrs. Green, then grabbed her hand, twisted it and dragged her down the steps. She has a large scar on her right leg.

Although she did not know at that time, that her arm was broken, Mrs. Green declared that she was in frightful pain and was almost hysterical.

When she arrived at Number 14 precinct in a scout car, she stated, an unidentified policeman said:

"I guess you want to say your arm is broken. You're drunk woman."

Matron Urges Care

From the precinct station, Mrs. Green was taken to the Women's Bureau, where she was recommended by one of the matrons for hospital care.

Taken to Gallinger, Friday, at about 1:15 p.m., splints were placed around her arm.

However after she was released from the hospital, and put in jail at the Women's Bureau, she states that she was sent back for futher medical care.

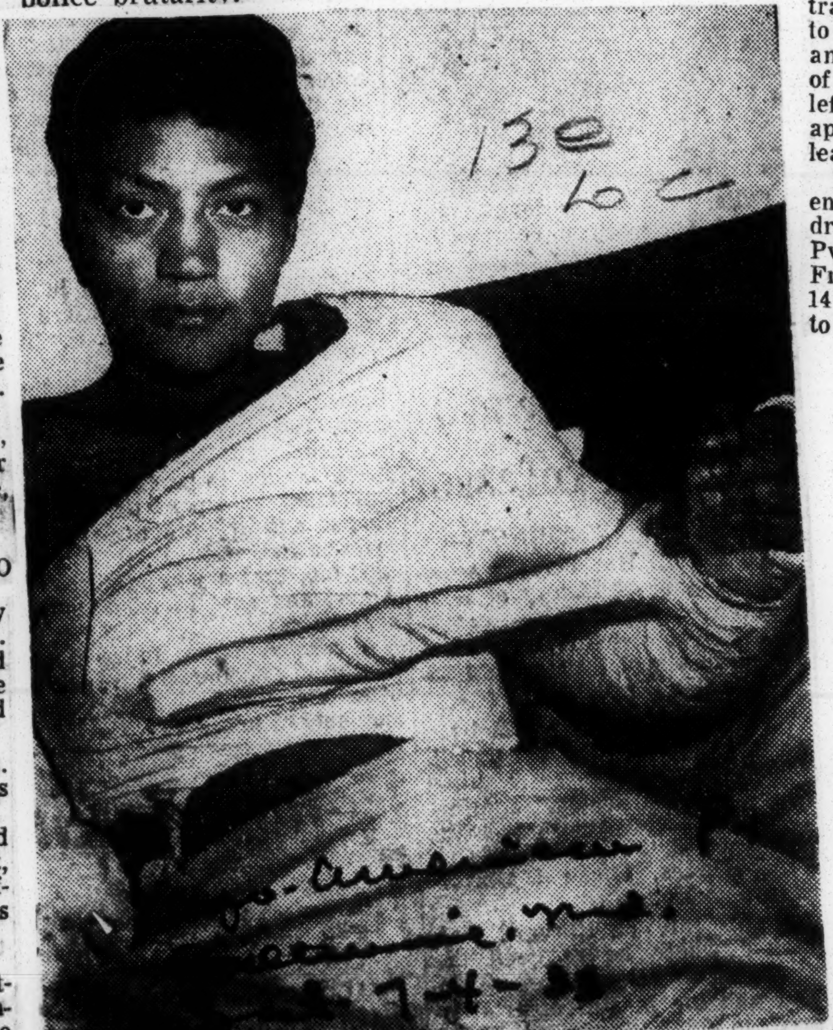
It was at this time that the plaster cast was applied.

Report Cited

The report of the case at Number 14 precinct, CCR 308003 reads:

"Mildred Green . . . was transported in wagon Number 11, to Gallingher hospital, and examined by Dr. L. N. Leiberman of staff for possible fracture of left arm. Arm placed in splints, apparently not serious and released.

"She was removed to the Women's Bureau and charged with drunk and disorderly conduct by Pvts. Samuel N. Gough and Frederick D. Gray of Number 14 precinct. Injury received prior to her arrest.



BROKEN ARM—Mrs. Mildred Green of the 5300 block of Ames st., ne, who alleges that she was arrested in her bathrobe, last week, and asserts that police officers broke her arm. She was released from Gallinger hospital, Tuesday. Mrs. Green lives in the 5300 block of Ames st., ne, Washington, D.C.

13e 1953 D.C.

Police Brutality 'Agreement' Is Disavowed by McInerney

New York, N.Y.

Delay of Federal Inquiry Into Civil Rights Cases Was Just an 'Experiment,' Former U. S. Aide Tells Congress Hearing

13e

By LUTHER A. HUSTON

Special to THE NEW YORK TIMES.

WASHINGTON, March 2—James M. McInerney, former Assistant Attorney General, insisted today that he had made no commitment of any kind to New York City police officials that would forestall or foreclose Federal prosecution of policemen charged with brutality in civil rights cases or limit the freedom of action of the Department of Justice in such cases.

Jus. 3-3-53

Mr. McInerney confirmed a previous acknowledgment that he had consented to an "experiment" whereby a Federal investigation of brutality cases would be withheld until the New York Police Department had submitted to the Department of Justice a report based on its own investigation. He asserted that he did not regard this as an "arrangement," an "understanding" or an "agreement."

The entire procedure, according to Mr. McInerney, was in accord with established Justice Department practices that had been found by experience to be effective.

Mr. McInerney testified before a House Judiciary subcommittee that is inquiring into charges that there was an agreement between the Justice Department and the New York police to by-pass the Federal Bureau of Investigation in civil rights brutality cases. He was in charge of the Criminal Division, of which the Civil Rights Section is a unit, at the time the so-called agreement was said to have been made.

Other witnesses heard by the subcommittee were Conrad H. Rothengast, Chief Inspector of the New York Police Department, and A. B. Caldwell, head of the Civil Rights Section.

Inspector Rothengast was emphatic in disclaiming that there had been an "agreement" or that the police had any purpose in mind except to protect the morale of the department.

Mr. Caldwell said he regarded the memo sent to him by Mr. McInerney in which he was asked to refer to Mr. McInerney any future cases involving police brutality charges originating in large metropolitan centers as a personal request by his superior.

The subcommittee of which Representative Kenneth B. Keating, Republican of upstate New York, is chairman, declined to hear representatives of five line organizations of the New York Police Department at today's session. He asked them to present to Robert A. Collier, the subcommittee's counsel, any factual information they might have bearing on the so-called agreement that is the subject of the group's investigation. If they desired to be heard later on these matters, Mr. Keating said, they would get an opportunity to testify.

Carton Agrees to Procedure

John E. Carton, president of the Patrolmen's Benevolent Association, agreed to this procedure. John Wynne, president of the Captains Endowment Association; Eugene Roussin, president of the Lieutenants Benevolent Association; James Shea, president of the Detectives Benevolent Association, and James Sheridan, president of the Sergeants Benevolent Association, were present with Mr. Carton throughout today's session.

D.C.

Representative Keating read a telegram he had received from the heads of the line organizations in which the subcommittee was reminded that policemen "also have civil rights" and charging that the New York Police Department was the target of communistic and other radical groups that sought to break down law and order by "vicious attacks." The chairman pointed out the limited jurisdiction of the subcommittee and said it could not go into any statement of opinion as to what might lie back of the charges it is investigating.

Mr. McInerney participated in a conference last July 11 in the office of Myles J. Lane, United States Attorney for the Southern District of New York. Inspector Rothengast, Deputy Commissioner Frank Fristensky and Mr. Lane were said to have been present.

At this conference, a proposal by Police Commissioner George P. Monaghan that no Federal investigation of police brutality cases be made until after the Police Department had reported to the Department of Justice the results of its own investigation was said to have been discussed. Both Mr. McInerney and Inspector Rothengast testified concerning this conference.

McInerney Reads Statement

"The only suggestion made," Mr. McInerney said in a statement he read to the subcommittee, "was whether on the next occasion a mistreatment allegation concerning a member of the New York City police was made to the Department of Justice, the department would bring it to the attention of the Commissioner and give him an opportunity to investigate it. It was stated that he would cause a complete and thorough investigation to be made within his department and furnish a copy of the investigative report to the Department of Justice.

"It was indicated that any supplementary investigation deemed desirable would also be conducted. The Department of Justice could, of course, take any action it desired on the basis of the report. The suggestion was coupled with the statement that if, at any time, the sincerity of the police investigative effort came into question, the procedure could be abandoned.

"Since this was precisely the kind of local action on a local problem the department had been continuously inviting and advocating for twelve years in this field of civil rights, the Commissioner's representatives were advised that in line with our long-established policy, I would be sympathetically disposed toward such a suggested procedure in a future case.

"No commitment of any kind was sought or given and the Department of Justice retained complete freedom of action."

Commissioner Monaghan has denied that there was any agreement to let the New York police investigate themselves in civil rights brutality cases.

Rothengast Denies Agreement

Inspector Rothengast entered a similar denial today. He said he had "asked Mr. McInerney [at the conference] for permission in the future to submit a copy of our report before the men were interviewed by the F. B. I."

"That was all," he said; "he could do whatever he wanted to after that."

Mr. Collier asked the inspector if he ever had heard Commissioner Monaghan use the words "agreement, arrangement or understanding" to describe the procedure devised at the conference in Mr. Lane's office.

"I did not," Inspector Rothengast replied.

Mr. McInerney also was asked whether he had characterized it as an "agreement, arrangement or understanding," and said that he had not.

"How would you characterize it?" Mr. Collier asked.

"I would call it an experiment," Mr. McInerney replied.

He also denied that he had used the word "agreement" in a telephone conversation with a New York newspaper reporter, Frederick Woltman of The World-Telegram and Sun, on Feb. 11. A newspaper clipping, quoting his as using that word, was read.

Mr. Caldwell was asked about a letter dated Jan. 16, 1953, to Mr. Lane, which reportedly "revoked the agreement" that is being inquired into. Mr. Caldwell acknowledged that the letter had been prepared under his direction, and Mr. Collier said it would be placed in the record at a later hearing. It was not established whether the letter used the word "agreement."

Inspector Rothengast testified that when representatives of the Department of Justice conferred with Commissioner Monaghan on Jan. 6 and asked permission to interview policemen involved in a brutality case that was then being investigated in New York, the Commissioner asked them to hold off until he could discuss the situation with the new officials who were to come in with the Eisenhower Administration.

Mr. Monaghan and Mr. Rothengast conferred in Washington on Feb. 16 with William P. Rogers, Deputy Attorney General, and other justice department officials. They asked that the "experiment" discussed with Mr. McInerney be observed in the current case. Inspector Rothengast said Mr. Rogers had said he thought it would be best to make the policemen available for questioning when the F. B. I. wanted them. Commissioner Monaghan said he would make them available, and did so the next day, Mr. Rothengast testified, adding that he did not believe the F. B. I. ever had questioned the policemen.

The subcommittee recessed its hearing until Wednesday, when James P. McGranery, former Attorney General; Raymond P. Whearty, first assistant in the Criminal Division, and James X. Kilbridge, the attorney who drafted the letter to Mr. Lane "revoking the agreement" will be witnesses.

Kings Grand Jury Investigates

The regular March Kings County grand jury began taking evidence yesterday on charges that Salvatore Pace, a Brooklyn truck driver, was beaten on Feb. 21 by two policemen of the Liberty Avenue precinct in Brooklyn. The incident purportedly took place while the policemen were taking Mr. Pace to the stationhouse to question him about his alleged disorderly conduct near a bar and grill.

Assistant District Attorney William I. Siegel reported that the panel had heard six witnesses, none of whom was identified. The investigation is expected to be completed before the grand jury tomorrow.

In his charge to the grand jurors, County Judge Samuel S. Leibowitz urged them to consider "impartially and fairly" the evidence in the case. He pointed out that "individuals with whom policemen deal are not usually Sunday school children," but, he added that an unwarranted attack "makes the policeman who commits such an assault as much a criminal as any other thug."

"You would do well to remember that the policeman is the symbol of law and order in our society," Judge Leibowitz continued. "The vast majority of them are decent, hardworking, honest, upright men who are willing to, and often do, give their lives to protect the citizenry. It is imperative that you do not destroy the morale of this great group of decent policemen."

Arrests White Policeman With Brutality Record

WASHINGTON — (ANP) - Paul V. Minnick, white policeman who escaped blame for killing a Negro man in Florida last Christmas, now faces a federal charge for violating the man's civil rights.

[illegible]

MINNICK, who served on police duty in the District of Columbia before going to Florida, is already under indictment in Washington for civil rights violations against a colored prisoner in the District jail two years ago.

[illegible]

P. 1

He has a record, also, of shooting at a fleeing colored burglar suspect in the District in 1949 but his several shots apparently missed.

[illegible]

THE FEDERAL BUREAU of Investigation agents arrested Minnick, now a member of the police force in Homestead Fla. last week on charges of depriving Emmit Jefferson of his civil rights.

MINNICK SHOT Jefferson, 31, a supply store handyman, to death Christmas Day in Florida. He said his victim resisted an officer who attempted to arrest him for running through a road block set up to catch speeding motorists.

THE CASE was investigated by a Florida grand jury but no charges were made. A federal grand jury will now hear evidence in the civil rights case.

In the meantime Minnick still faces the District charge.

[illegible] 53

THE DISTRICT COURT issued a warrant for Minnick's arrest in the Washington case on Feb. 6. The warrant was sent to the U.S. Marshal in Miami but the arrest in the Florida case came before the Dirtrict warrant was served.

THE WASHINGTON case resulted from a cell-block altercation between Minnick and William H. Branch, 26, back in 1951. As a result the colored prisoner had to be sent to the hospital with a broken jaw.

Houston,

BRANCH WAS EVENTUALLY dismissed on a drunk charge and also on a charge of assault of Minnick, but the judge decided that the police officer used "excessive force" on the prisoner.

Tex.

The maximum penalty on each of the civil rights charges is a fine of $1,000 and one year imprisonment.

Fla. Killing Case Brings More Tension

Afro American

Man Slain Christmas Day One Year After Moore Blast

Sat. 1-3-53

B-U-L-L-E-T-I-N

HOMESTEAD, Fla.—Paul Minnick, local police officer, was arrested last week on a first-degree murder charge in the killing of Emmet Jefferson.

Baltimore,

Justice of Peace Vernon Turner issued the warrant after conference with E. F. Lassiter, of Sheriff's Bureau of Criminal Investigation, and John D. Marsh, assistant state's attorney. Minnick was booked at the county jail 90 minutes after the warrant was issued.

P. 1

By JAMES L. HICKS

MIAMI, Fla. — A white policeman pumped three bullets into a motorist here Christmas day as his father pleaded for his life and this city and in the Greater Miami area which had regained its calm since the Christmas day slaying of NAACP leader Harry Moore was once again shrouded in racial tension.

Afro-American

The tension which came on Christmas day exactly one year since Harry Moore was blasted to death by a bomb at Mims, Fla., was brought on when Patrolman Paul Minnick of Homestead, Fla., shot and killed 30-year-old Emmett Jefferson after he had evaded a highway roadblock set up by Florida police and escaped into his yard.

P. 1

Baltimore, Md.

Attorney George Everett, of Miami, who went to Homestead to investigate the shooting called Jefferson's death not only "unnecessary" but charged that Minnick had killed the wrong man.

Follows Auto Chase

Jefferson's death came after a wild automobile chase that started in Florida City after a colored man had forced a white woman driver off the road.

Sat. 1-3-53

Florida City police first arrested Jefferson and when he allegedly broke away, they phoned ahead and had a roadblock set up to stop him.

Jefferson's car evaded the block, but as he pulled into the yard of his home, in Homestead, police caught up with him.

Father, Daughter Watch

According to reports, Jefferson's father, James Jefferson, and his daughter, Ida, and at least eight other witnesses were around the house when police attempted to arrest Jefferson in the yard.

The elder Jefferson said he was working in his barber shop in front of the house when he heard his son drive up, jump from the car and yell, "Daddy, Daddy."

"Then a police officer came up and started hitting him over the head with a blackjack," the slain man's father continued.

Hits Garbage Can

Mr. Jefferson said at that point another officer, identified as Patrolman Minnick, fired a shot at his son which missed him and struck a garbage can. Jefferson said the second bullet struck his son in the leg and he slumped to the ground. Then he said the officer fired again.

Afro American

"And then he walked all the way around him and shot him again."

Sat. 1-3-53

After the shooting a crowd of 4-500 colored people gathered at the scene and were dispersed by Homestead Police Chief Emory Hudson. Chief Hudson told the crowd that Patrolman Minnick would be suspended pending an investigation. He then said to the crowd, "It is Christmas, the day of peace. Go home to your families."

13e

Tension In Miami

A saddened Christmas spread throughout the Florida City-Homestead area and one could feel the tension in Miami 30 miles away.

Fla

Before the crowd was dispersed, John Tyler, director of the Criminal Investigation Bureau and the Florida City-Homestead area, was summoned to the scene with riot guns. Constable George Wright and the Dade City Road Patrol were also summoned.

Chief Hudson, however, said that the crowd was merely curious.

Attorney Everett said that Jefferson's shooting was unnecessary and that police had actually shot the wrong man.

Light And Dark Man

"The woman who was forced off the road told me that Jefferson was not the man involved," Everett said. "Her name is Jeannette Sullivan of Homestead and she told me that the man who forced her off the road had very light skin. Jefferson is a very dark man."

Mr. Everett said he did not know why Jefferson ran or fled when police first attempted to arrest him.

On Friday following the shooting more than 15 witnesses, white and colored, testified in a probe of the shooting. E. F. Lasseter of the Criminal Bureau of Investigation questioned the witnesses but no report of their testimony was available to newsmen.

Parents Call NAACP

The dead man's parents called on the NAACP for help and Dr. Godfrey W. Hawkins, president of the Miami chapter of the NAACP asked Howard W. Dixon, a white attorney, to conduct the investigation and make recommendations for possible forwarding to the notional NAACP.

In Philadelphia, where Dr. Hawkins is attending the Omega convention the NAACP president declined to comment on the case.

In a statement, Dixon said, "If there is any possibility of violaton of the Federal Civil Rights Law, the NAACP may even go beyond the state court to ask the FBI to come into the case.

Florida City and Homestead are two adjacent cities located on Rt. 1, about 30 miles below Miami.

Native Of Homestead

The dead man was a native of Homestead. He was apparently near Florida City when he allegedly ran the woman off the road.

In the attempt to arrest him he got away from officer Marshall William Fasulo of Florida City. Fasulo raidoed to Homestead to set up a roadblock.

It was set up three blocks south of Homestead's city limits by Sgt. J. C. Arrant and Patrolman Minnick. He got around the roadblock and then was chased home to Homestead where the shooting took place.

Miami Policeman Sued for $35,000

13e Courier P. 13 Pittsburgh Pa. Sat. 5-30-53

MIAMI (IP)—A $35,000 damage suit, filed in circuit court last Friday by Mrs. Thelma Overstreet, Negro resident here, against Boswell Roberts, North Miami Beach Negro special policeman, charges he beat her with his fists and a hammer at her home, 1496 N. E. 153rd Terrace.

The suit says Roberts was on her property unlawfully at the time, March 22, this year. The ruckus started while Roberts was attempting to place George Buck for Mayor campaign literature on her automobile, it was revealed.

Fla. Policeman Up For Murder Awaits Fate

Chicago Defender

Sat. 7-4-53 P. 1

JACKSONVILLE, Fla. — The U. S. government finished its case against Paul V. Minnick, a Homestead policeman, who shot and killed a man last Christmas while trying to arrest him on suspicion of being a traffic violator.

The victim was Emmett Jefferson. Minnick is charged with violating Jefferson's civil rights.

13e

A federal court jury heard four persons testify that Minnick fired again after Jefferson had been knocked down by a bullet.

Testimony of the victim's father, Jim Jefferson, 58, was that he begged the policeman "not to kill my boy" but all Minnick did was warn the father to keep out of it.

Chicago, Ill.

The shooting took place in front of Jefferson's home where Marshall William Fasulo sought to arrest the younger Jefferson on suspicion of reckless driving.

Fired Only One Shot, Cop Says At Rights Trial

MIAMI—(INS)—A former Homestead, Fla., policeman continued to maintain Thursday that he fired only the first of four shots that killed a 38-year-old Negro man last Christmas.

Worker

The former officer, Paul V. Minnick, on trial in Miami for the alleged murder of the Negro—Emmett Jefferson—said that he fired only after ordering Jefferson to stop scuffling with another law enforcement officer.

P. 1

Atlanta, Ga.

Minnick is accused of violating the civil rights of Jefferson in the shooting. It followed an alleged traffic violation by Jefferson.

Jan 30-53

Minnick calmly told a federal court jury that Jefferson advanced upon him, yelling:

WHITE OFFICER

"No ..... white officer is going to take me!"

13e

Minnick said the first shot was high and to the right.

The second was low and to the right again. He maintains the third and fourth shots were fired in succession.

Under cross examination by the district attorney, Minnick said that Jefferson and Florida City Town Marshal William J. Fasculo, were engaged in a scuffle in the front yard of the home of Jefferson's father.

FIRST SHOT

"I said to them, 'break.' That was the first thing I said," Minnick related.

They broke after the first shot was fired, Minnick said and later Jefferson came at him.

When asked if he advanced toward Jefferson, Minnick said:

"No sir, I stood still."

Dade County Constable Fired For Taking Money From Negroes

World
13e
Birmingham Ala.
Dec 9-1-53
P.2

TALLAHASSEE, Fla. — (INS) — Florida's Gov. Dan McCarty suspended Dade County Constable George Wright for allegedly withholding confiscated money from persons who were not charged with crimes.

The governor used the incident as a springboard to warm other constables throughout the state that any public official who does not work for law and order will receive the same treatment.

Wright was specificaly charged with taking $123 from four Negroes suspected of gambling in the Greater Miami area—and not returning the money despite the fact that the men were not arrested or ever charged with a crime.

CLAIMS "ESCROW"

The constable claimed he was holding the money "in escrow" to insure the suspects' good behavior.

McCarty dismissed the constable for malpractice after charges were filed by the Dade County solicitor's office.

In his letter to constable, Gov. McCarty reminded them of his pledge to keep Florida clean, and noted that he must have their cooperation to succeed.

But he also reminded them that reports of gambling, illegal liquor traffic and similar violations had reached his ears in recent weeks. He insisted that such activity be stopped by the law enforcement officials.

Ruby's Son, Sam, Heads for Army

Courier
P. 9

LIVE OAK, Fla. (IP)—While his mother, Mrs. Ruby McCollum, sits in jail here under death sentence for the slaying of white Dr. Leroy Adams, Sam McCollum Jr. is heading for the Army.

13c-12-[illegible]

PROBE BEATING OF

Charge Tallahassee Cops With Violence

Defender
P.5
Chi. Def.
Sat. 12-5-53
13c

TALLAHASSEE, Fla. — The report that Tallahassee police used physically to force a subdine a Negro school teacher who is also suffering from powder burns which he sustained when one of the officers' guns was allegedly fired at close range, will be investigated by a grand jury.

Police Chief Frank Stoutamire made the announcement last Tuesday and made it known that he is making a complete investigation of the events which led to the arrest of Harry R. Jackson, a Wakulla County school teacher who lives in Tallahassee.

The teacher told a local doctor that a little before midnight, Saturday, Nov. 14, he drove into the alley alongside the police station by mistake and when he tried to drive out again, the police officers stopped him and asked him what he was doing there.

An exchange of words followed and Jackson was beaten up with a blackjack and suffered powder burns when a gun was fired close to his head.

In written statements the three officers, Thomas H. Maxwell, James Finch and Gwen McAllister placed the time of the incident at between 1:20 and 1:30 on Saturday morning, Nov. 15.

Finch said he saw the car pull into the alley and drove into a section for police cars. He then observed a man and a woman in the car arguing, whereupon he went over to the car and asked the man what the trouble was about and told him to step into the police station.

According to Finch's statement Jackson changed his mind about going inside and said he wasn't doing anything wrong and would park where he pleased.

SEIZED BY ARM

The officer stated he then told Jackson he was under arrest and when the man refused to go into the station, Officer Maxwell took Jackson by the arm.

The policemen in their statement claimed that Jackson knocked Maxwell's hand off his arm and Maxwell pulled out his blackjack which Jackson knocked out of his hand.

They said Jackson picked up the blackjack and moved toward Maxwell who drew his gun and told the teacher to stop. According to the written statements of the three officers, Maxwell's gun was supposed to have been discharged when the policeman threw up his arm to "protect" himself from Jackson who struck him in the arm with the blackjack causing the gun to go off.

Chief Stoutmire, in calling for a grand jury investigation, said it would be a policy of his department when officers are charged with serious misconduct.

Motorist Killed By Fla. Officer

Dad Begs Policeman Not To Shoot Son; Cop Held For Murder

13. e. Fla

Special to Journal and Guide

HOMESTEAD, Fla.— Paul Minnick, local police officer, Saturday was arrested on a first degree murder charge in the Christmas Day killing of Emmett Jefferson, 30-year-old Negro motorist.

Justice of Peace Vernon Turner issued the warrant after conference with E. F. Lassiter of the sheriff's Criminal Bureau of Investigation and John D. Marsh, assistant state's attorney.

Journal and

MINNICK was booked at the county 90 minutes after the warrant was issued.

Guide

An intensified investigation preceded the arrest. More than 15 witnesses, white and Negro, testified.

P. 1

After reports that a speeding automobile had forced a woman driver off the road, Officer William Fasulo arrested Jefferson at the home of a friend in Florida City. He said Jefferson escaped in his car. Fasulo gave chase and radioed Homestead police to set up a road block.

Norfolk Va.

Jefferson's car went around the roadblock, and Officer Minnick and Sgt. J. C. Arrant joined Fasulo in the pursuit. Fasulo arrested Jefferson as he pulled into the yard of his home here.

Sat. 1-3-53

FASULO SAID Jefferson "started to scuffle" and Minnick shot him down. Three of four shots fired by Minnick struck Jefferson.

Jefferson's father, one of a dozen witnesses to the shooting, said, "I pleaded with him not to shoot and he kept shooting and yelled at me: 'get back, you old man, or you'll get the same'."

E. F. (Bob) Lassiter of Sheriff J. B. Henderson's Criminal Bureau of Investigation, interrogated the witnesses in a closed session at which newsmen were barred.

Journal Guide

WHILE THE investigation was under way, pending an inquest before Justice Turner, the dead man's parents called on the National Association for the Advancement of Colored People for help. James Jefferson, father of the dead man, asked Dr. Godfrey W. Hawkins, 1018 NW Second avenue, Miami, for an NAACP investigation. Hawkins is president of the Miami chapter.

Sat. 1-3-53

ed by state highway patrolmen.

* * *

DR. HAWKINS, a Miami dentist, asked Howard W. Dixon, white attorney for the Miami group, to conduct the investigation and make recommendations for possible forwarding to the NAACP.

13e

"If there is any possibility of violations of the federal civil rights act, the NAACP may even go beyond the state courts and ask the Federal Bureau of Investigation to come into the case," Dixon said. Dixon added that the investigation would be cautious, yet thorough and if the facts determine that "injustice had been done," the NAACP would act to aid the family.

* * *

LASSITER DID not disclose any of the testimony taken by an official court reporter.

The testimony will be compiled into a report and submitted to Peace Justice Turner. Turner indicated that he would not set an inquest date until the report is received. He said that it probably would be ready Monday.

Protest Two Slayings By Florida Policemen

One Killed At Miami Race Track

13e Fla

B-U-L-L-E-T-I-N-!

MIAMI — After a thorough police investigation demanded by the Miami branch of the NAACP, Patrolman Paul Minnick of the Homestead police was arrested and jailed on a charge of first degree murder in the fatal shooting of Emmett Jefferson on Christmas Day.

More than fifteen witnesses, both white and Negro, testified in the investigation. Most of those who saw the shooting, including Jefferson's father, corroborated in the belief that the shooting was inexcusable.

Courier

By JOHN A. DIAZ

MIAMI, Fla. — The slaying of two Negroes near here last week, one at the Tropical Race Track, and the other in Homestead, by white police officers has aroused widespread protests from Negro leaders.

P. 1

Robert Moore, 20, was killed by Ernest B. Eich, a guard, during a scuffle, at Tropical Park, on Saturday, Dec. 20; and Emmett Johnson, 36, was killed by Patrolman Paul Minnick, in Homestead, thirty miles from here, on Christmas Day.

Sat. 1-3-53

Moore's death is being investigated by the sheriff's office as a result of eye-witness versions that the fatal shooting was, probably unjustifiable.

Pittsburgh Pa.

THE DEATH of Jefferson from bullets from the gun of Officer Minnick has received more bitter protests from Negroes who witnessed the slaying, including the father of young Jefferson, who begged the officer, it is reported, not to shoot his son.

More than fifteen witnesses, whites and Negroes, testified last Friday in a probe of the Christmas Day slaying of Jefferson by the city policeman of the little town of Homestead.

The Sheriff's criminal investigators questioned the witnesses in a closed session on Friday while the dead man's father, James Jefferson, appealed to the Miami Branch of the NAACP for help.

Courier

The president of the local chapter, Dr. Godfrey W. Hawkins, asked the branch's attorney, Howard W. Dixon, to conduct an investigation; as there were indications, he said, that Jefferson's Civil Rights had been violated.

Sat. 1-3-53

THE ATTORNEY, who is white, made this statement:

"If there is any possibility of violations of the Federal Civil Rights Law, the NAACP may even go beyond the state courts to ask the Federal Bureau of Investigation to come into the case."

Dixon said that the investigation would be cautious, yet thorough and if the facts determine that "injustice has been done" the NAACP would act to aid the family.

13e

Testimony gathered by the sheriff's office will be submitted to the Justice of the Peace, who will hold an inquest this week.

Fla

The fatal shooting occurred in the front yard of the Jefferson home a few minutes after Jefferson reportedly sped through a police roadblock while allegedly fleeing town marshall William Fasulo of nearby Florida City.

Jefferson's father and his sister, Ida, have told newsmen that the shooting was not justifiable.

Fasulo had originally arrested Jefferson in the home of a friend in Florida City after a complaint had been registered that a speeding automobile had forced a woman off the road. Jefferson had been identified as the driver of the car.

After the arrest, Jefferson escaped in his car and rode around a roadblock after Fasulo radioed Homestead police. Fasulo finally apprehended Jefferson as he pulled into his yard.

Patrolmen Allege That Man Beat Them With Blackjack

BY GEORGE COLEMAN

A 25-year-old motorist who reportedly refused to obey orders of two motorcycle policemen was admitted at Grady hospital last night with bullet wounds in both knees, while 15 charges of violations including assault with intent to murder were levied against him.

The youth was shot in front of the Grady Hospital Emergency Clinic about 4:15 p. m. Tuesday after he reportedly took "blackjacks" from two policemen who were attempting to carry him inside for treatment.

A first report, made by Motorcycle Patrolmen M. J. MacFadyen and J. P. Dickey, identified the man as Baxter Bryant, 25, alias James Henry Porter, of 2123 Old Ivy Road, and 2118 Northside Dr. Both addresses and both names were secured from identification papers he was carrying.

The motorcycle officers said they were driving up Simpson Road just as it started raining when the suspect came over a hill allegedly driving approximately 70 miles per hour.

The report said MacFadyen stepped into the street and tried to flag the auto down. He attempted to run over both officers, police said, and a chase ensued and ended at the intersection of Ashby St., N. E., when a traffic jam blocked Bryant.

CRAWLED OUT

Bryant then reported crawled out of the auto on the right side over a woman and a male passenger, and kicked one of the officers when they attempted to place him under arrest.. He also allegedly hit the other officer, saying repeatedly, "I'm not going anywhere until I'm reasoned with."

A second report made by Radio Patrolmen R. B. Bibb and H. K. Meuller said they picked up Bryant and took him to Grady for treatment. Bibb said Bryant struck him with his fists at the entrance to the Emergency Clinic, and a fight continued up Gilmer St. to Butler St., and south on Butler St., to the police impound lot, where both officers drew pistols and threatened to shoot the suspect.

Bryant then reportedly walked back to the clinic where a third struggle occurred in which Bryant grabbed both officers' blackjacks and struck Bibb over the head with one. At this point Meuller said he shot Bryant in his left knee and the bullet continued through and lodged in the right knee. Bibb was treated for head injuries, police said.

Bryant was charged with speeding approximately 70 miles per hour in a 25 mile per hour zone; two counts of assault on an officer; failing to obey officers signal; driving on the wrong side of the street, resisting arrest, two counts; driving under influence of intoxicants; drunk in the street; no driver's license; violating the knife ordinance; disorderly conduct, assault on an officer and disorderly conduct-assault with intent to murder.

P. 1

Prather Seeks $20,000 Damages

ATLANTA, Ga. — George Prather, 27-year-old businessman, last week filed a civil suit asking damages of $20,000 growing out of a brutal attack on him by special officers of the local State Farmers' Market.

The suit, filed through Atty. Daniel Duke in Fulton County Civil Court, charges two counts of law violations by three Fulton deputy sheriffs who have been indicted by the Fulton grand jury on criminal assault and battery counts for allegedly beating Prather, May 17.

The petition was filed against Century Indemnity Company as underwriters of a surety bond for the Fulton County sheriff under whom Deputies T. H. Leathers, E. L. Turner and E. H. Gardner worked. The civil action charges the deputies breached the sheriff's bond in two counts—illegal arrest and false imprisonment of Prather and assault and battery on his person.

P. 10

Mother Says County Officer Beat Her With A Blackjack

Savannah Civic Club Hires Attorney To Probe Charges

SAVANNAH, Ga. — The Liberty County Citizens Democratic Club has employed an attorney to defend a Negro mother who was allegedly brutally beaten with a blackjack by a county constable, it was reported here this week.

The victim of the officer's attack was listed as Mrs. Queen Easter Williams, mother of small children, and the officer was identified as Ulysses Rogers, constable of the 1458th district of McIntosh County.

Mrs. Williams gave her version of the brutal attack to Attorney Frank Dilworth, Jr., who was employed to defend her.

According to Mrs. Williams, she was beaten because a grocery bill of $25 was not paid by her to Blitz grocery store, located on Highway No. 38 in McIntosh County.

PADLOCK ON DOOR

The victim explained to Attorney Dilworth that on the night of April 23, she arrived home only to find a pad lock on her front door with a note warning her not to enter her home. The note was signed by Ulysses Rogers, she reported.

Mrs. Williams further stated she asked a cousin to take her in his automobile to the constable's home, where she asked Mr. Rogers for the key to her house and he told her she couldn't get into the house until Mr. Blitz was paid.

Mrs. Williams then told him she would report the matter to Sheriff Sykes, high seriff of Liberty County, and Rogers replied: "Dam Sheriff Sykes." The constable is then reported to have grabbed the victim's arm and twisted until she fell to the ground. He called to his son to bring his gun and blackjack, the son later could not find the gun, but according to Mrs. Williams statement, Rogers wife brought the blackjack.

Mrs. Williams told Attorney Dilworth that Rogers then beat her with the blackjack and dragged her body across a pebble road, stating that he was going to arrest her. She said she pleaded with him to let her get medical aid before going to jail and he told her, "I don't give a dam if you die."

P. 1

Two Ga. Officers Indicted In Civil Rights Cases

VALDOSTA, Ga. — Two Georgia law-enforcement officials, one of Valdosta and one of Waycross, were charged yesterday with violating the civil rights of two Negro citizens in separate cases.

Raymond Flowers, a Valdosta city officer, was charged with depriving Willie James Waston of his rights when Watson was fatally shot on May 4, 1951. At the time of the shooting it was alleged that Flowers and his late father were attempting to arrest him.

Flowers was originally charged with murder at the time of Watson's death but was released by a local court which said he acted in self defense. Flowers appeared under grand jury indictment, in Federal Court Thursday and posted a $1,000 bond.

THE MAXWELL CASE

In the other case, Henry Lee Boyd, formerly police chief of

hira, was indicted through the charges of Willie Maxwell. Maxwell stated that he was beaten with a blackjack by Boyd. The indictment sets forth that the alleged beating deprived Maxwell of his rights and privileges and immunities according to the U. S. Constitution.

13e

YOUTH SHOT BY POLICE IN TRY TO ESCAPE PATROL WAGON

World

Atlanta, Ga.

An 18-year-old youth, who police said has a long juvenile criminal record, was seriously wounded during an attempt to escape imprisonment after being held for beating another youth with a plank, investigating officers said Saturday.

P. 1

George Whitt, 18, of 387 Buchanan Street, N. E., was shot in the abdomen about 11 a. m. Saturday a short distance from the Fulton County jail where he was being transported with eight other prisoners, City Detectives W. S. Acree and O. W. Jordan said.

Patrolman Cecil Hammond reported he shot Whitt after he refused to halt after escaping from the patrol wagon, and advanced in a "threatening manner" on the officer with his right hand in his pocket.

Aug. 9-26-53

FOUND YOUTH UNCONSCIOUS

Police said the series of incidents leading to the shooting started about 1 a. m. when Radio Patrolmen A. L. Ellsberry and A. B. Williams ran upon the unconscious form of Robert Kimball, of 325 Ernest St., lying in the street on Chestnut St., near Butler St., N E.

Whitt was arrested and charged with assault and battery after three other youths told police Whitt struck the victim with a board while they were playing.

Whitt was tried in Municipal Court at 7 a. m. and bound over to the criminal court under $200 bond He was then transported to the County jail along with eight prisoners, including four Negro men, three white men and one Negro woman, police said.

Upon reaching the county jail, police said, the woman stepped out of the wagon, and Whitt made a dash for freedom, followed by Hammond. He ran until he reached a viaduct on Butler St., failing to heed commands to halt. He was shot under the viaduct, police said.

Police said the youth had a series of previous arrests and convictions for loitering, idling, resisting arrest and carrying a knife.

Police said he once escaped from jail after serving one day of a sentence. He was interned at Grady Hospital for treatment.

MAN BRANDISHING GUN SLAIN BY POLICE ON AUBURN AVENUE

The almost tiny, attractive house wife and mother of three small children let her husband out of the auto about 8:40 p m. Sunday and drove home and retired, only to be harshly awakened about an hour later to be informed that her husband had died from a bullet fired by a white policeman

This was story related yesterday by Mrs Mabel Summers, 25 year old wife of Charles Summers, 32, who died Sunday night about 30 minutes after a policeman's bullet slashed into the right side of his chest.

World

"We had been to the bus station to pick up his stepfather," she said softly.

P. 1

She held the smallest of her children who is 20 months old, in her arms while tears formed unashamedly in her eyes

WORLD WAR II VET

Her husband, a World War II veteran, had been dead for less than 24 hours He was shot about 8:59 p m. Sunday in an alley at 180 Auburn Ave , N E.

Aug 8-18-53

Ptl D E Cox, who reported he fired the fatal bullet and Ptl. Roger Bagwell, reported the shooting followed an investigation of a disturbance call they had received

The officers said they had been informed by several Auburn Ave. residents that a man was wielding a pistol up and down the street. Later, they said they spotted him and ordered him to drop the weapon, where up he asked:

Atlanta, Ga.

"Is this what you want?" and pointed the pistol in Cox's direction

The officers reported Cox fired, and then clamped his foot on the man's hand after he fell until the pistol was retrieved

SAY SHOT PIERCED HAND

Police said he had been shot through the right hand, with the bullet entering at the bottom of the ribs about one inch to the right of the center of the body

Summers' body was taken to Ivey Brothers Funeral Home, where World staffers later saw that his right hand had been mangled, and inspected a wound located in the lower right side of his chest.

Mrs Summers said they went to the bus station Sunday night to pick up her husband's stepfather, Walter Singfield, who had just returned from Chattanooga, Tenn.

She said her husband got out at Piedmont and Auburn, and said he would be home later. She estimated that he must have been shot about 12 minutes after she left him.

PUT CHILDREN TO BED

She described how she went home and put her children to bed, and retired herself. Police later came to her house, at 157 Chestnut St , S W , and informed her her husband was dead.

"He was a good husband," she said yesterday, recounting how he took good care of their children and provided a neat apartment for her.

He had a police record she said, "but he was a changed man after he married me," she declared.

Mrs Summers could give no reason why her husband should be walking down Auburn Ave wielding a pistol, but she said he did have a weapon with him She said he had been drinking, but was not intoxicated.

Several people stated Summers fired once of twice across the street before police arrived. Others said they heard only one shot; the one that ended his life.

The Summers have three children whose ages are 10, three and 20 months. Summers is also survived by his mother, Mrs. Kate Singfield of 103 Bell St , N E , Apt. 86.

Let's Go To The Roots Of The Mays' Slaying

From the ugly picture and its aftermath of the Ingram case, whose ghost still rises to the surface to haunt our good name and offices, Sumter County again comes on the scene with another tragedy.

World P. 6

This time, it is the slaying of John Mays of the Leslie community, by Police Officer Hawkins, in whose custody he was. While the officer states his side there is another suspicion evident in the patent blanket of "resisting arrest."

Atlanta, Ga.

Howbeit, we are shocked beyond measure in the manner in which Mays was killed and the assessing of a bond of only five hundred dollars for his slayer.

Aug 10-6-53

In these times of terrible stress, in the face of our struggle to distance ourselves from lynching, the Americus incident serves no good purpose.

If a license is given to police officers to shoot down at will whom they may, and name the offense, "resisting arrest" a new page in killing and lynching will be opened in blanket fashion to the end that no Negro citizen however peaceful, may rest assured that he is safe.

13e Ga

Such a condition should and ought not exist in a civilization like ours.

A killing is just another killing, however it is explained and we are in no mood now in our struggle for security, for law-abiding citizens to move every day in the shadow of peril, regulated by those who would whip out and shoot whom they pleased.

It is now up to the law-abiding citizens and the authorities of Sumter county, to scour to the bottom this terrible incident.

To cover it up or just smear around it, would serve no good purpose. The citizens of this state are entitled to a full and open hearing in this Mays killing to the end that justice might be meted out in this case.

Let the state and the nation have a full report on this brutal slaying of John Mays, who is described as a "peaceful and hard working citizen."

Police Officer Acquitted Here In Negro Killing

moved

1-17-53

Atlanta

Coroner's Jury Says Howle Was Justified In Slaying Wellons

Ga.

P. 1

BY GEORGE COLEMAN

A white police officer — who shot and killed a Negro truck driver Wednesday for allegedly picking up a rock to strike his fellow policeman — was cleared of the slaying Friday by a Coroner's Jury who said the slaying was justifiable homicide.

13e Ga

Testimonies by two Negro witnesses and two policemen indicated that the slain man, Curtis H. Wellons, had become involved in the incident by attempting to help another man, and had moved to satisfy a complaint made against him before policemen arrived at the scene.

No reanson was given why Wellon became angry enough to pick up the stone which police said weighed three pounds and ten ounces.

Patrolman A. M. Howle, who declared "it all happened in less than 30 seconds," told the jury he had warned Wellons not to pick up the rock.

Wellons was slain Wednesday by a bullet that pierced his heart. He was accosted by police upon the complaint of a 75 year old Negro Tom Norwood, of 842 Federal Avenue, S. E., who said Wellons had refused to remove some paper from his yard.

ISSUE SETTLED

Both officers admitted to the jury that the complaint had been settled when they arrived. Ptl. L. H. Strickland said that Wellons was loading the paper back on the truck when they arrived.

They attempted to place the man under arrest, they said, after he placed his left hand in his pocket. Police said they believed he was attempting to draw a weapon. However, a later search of the man's clothing revealed he ws not armed, the officers admitted.

Melvin Smith, who said he lived at an unnumbered Turner Street address, told the jury Wellons had been unable to pick up the paper because his truck was broken down, and repairs were completed just before the police were called.

NORWOOD TESTIFIES

Norwood said that Wellons brought his truck into the lot January 9 to "pull another fellow out of a hole," The paper slid off while the truck was sitting at a tilted angle, he said.

Norwood said he called Wellons twice to pick the paper up. "He promised me every time he was going to come out and get it," Norwood said, "but he never showed up."

Norwood said Wellons arrived about 15 minutes before the police arrived and began loading the paper. The police asked him why he hadn't picked up the paper, Norwood said, and Wellons replied, "I'm picking it up now."

Norwood said one of the officers then grabbed him by the right arm, and the incident ensued. Smith's testimony was virtually the same. Smith related Wellons said "something," and the officers grabbed him Strickland had his blackjack out, Smith said, and Howle had his pistol out. Both Negro men denied hearing Wellons make a threat to the officers or curse, but Smith said, "I think he was quick to get mad."

Asked repeatedly by Coroner Ed Almond if the police grabbed him more than once, both Negroes testified they had not.

STORY DIFFERS

The officers' version of events leading to the slaying differ slightly. Strickland said he first asked Wellons why he hadn't removed the paper and was told the truck had been broken down. He said he then asked the man why he hadn't borrowed a truck to remove the paper, to which Wellons alleged replied, "Its not hurting anything.

MAN KILLED IN 'SELF DEFENSE' BY OFFICER

moved

p. 1

13e

Atlanta Ga

LITHONIA, Ga.—(INS)— A Negro man taken into custody on a drunk charge was shot through the heart early Saturday when he allegedly attacked the arresting officer at the Lithonia jail.

Ga.

2-1-53

Police Chief B. M. Kelley said Winfred Hoyt Lord, 50, killed Henry Crew, 50, in self defense.

Crew, and a companion Columbus Garlington, 46, were taken into custody on a charge of being drunk, and of operating a car while under the influence of intoxicants.

Lord, a retired Detroit policeman, works two nights a week on the Lithonia police force.

Cop Slays GI On Leave In Augusta

p. 6

13e

AUGUSTA, Ga. — John H. Lawson, 23, a soldier on furlough from Fort Jackson, S. C., was shot and fatally wounded by a city policeman when he allegedly attacked the officer with an ice pick Sunday afternoon.

Five witnesses testified that Lawson had been creating disorder all day and had broken windows and furniture and chased several persons with an ice pick.

4-18-53

When the officer arrived on the scene, Lawson cursed him and drew a knife it was reported. The officer then struck him with his nightstick stunning him.

When he regained his senses, he came back fighting. Johnnie Truit, who resides in the community, tried to pull him off the officer, but he jerked loose and advanced on the officer who shot him with his .38 caliber service revolver.

Deputy Sheriff Slays Man In McIntosh County

13e Ga

DARIEN, Ga.—A McIntosh County man was killed by a deputy sheriff here Friday night when he allegedly resisted arrest on charges of beating his wife.

The victim was identified by Deputy Sheriff A. S. Powell, Jr., as Elijah Sims. The shooting took place at Sims' home, three miles east of Darien.

According to the report, the warrant against Sims was sworn out by his wife, Mrs. Bessie Sims.

Witnesses to the shooting were listed as Hoke Williams of Darien; a neighbor of the Sims family; and a member of another family which lived in the Sims' house.

Atlanta, Ga.

These witnesses were quoted as saying Sims knocked Poppell down and in an ensuing scramble took the deputy's blackjack and struck him with it. Poppell then drew his gun and fired twice, the second bullet killing Sims.

SELF-DEFENSE VERDICT

Coroner A. C. Davis held an inquest following the shooting and the jury rendered a verdict of self-defense.

4-7-53

Poppell was carried to a local hospital where it was announced he had suffered a severe knee injury during the fight. He was later transferred to a Savannah hospital.

Officers said Sims had recently been arrested by Glynn County officers on a non-tax paid whiskey charge.

JURY TO PROBE DEATH OF 3RD CITY PRISONER

44-Year-Old Man Dies Here

Coroner's Inquest Slated

13e Ga

BY GEORGE COLEMAN

City detectives reported yesterday that a 44-year-old city prisoner arrested on a drunk charge April 30 died on the operating table at 10:30 A. M. Thursday of a brain hemorrhage.

Investigating officers said the man apparently died of natural causes, but indicated he may have been refused treatment a few hours before his arrest.

World p. 1

Detective Lieutenant L. T. Bullard identified the man as Clifford Barrett, 44, of 75 Bass St., S. W., a former ice man. A Coroner's Inquest has been scheduled for Monday he said.

CITY PRISONER

Barrett is the third city prisoner to die after hospitalization in the past two weeks. The previous two deaths were reported due to skull fractures, one of which was inflicted after James Fisher was ejected from a bus. The second case developed when Lovett Thomas, died of head injuries reportedly incurred after a fall from a prison truck.

Atlanta Ga

Dat. 5-2-53

In all three cases, however the men were carried to the city jail as drunk cases. Doctors testified at two inquests that persons suffering from head injuries could appear intoxicated from blows.

HIGH BLOOD PRESSURE

In Barrett's case, however, a postmortem has shown that he died from the effects of a ruptured blood vessel, brought on by high blood pressure. Bullard said the man's blood was analyzed but failed to show traces of intoxicants.

Barrett was found on Capital Avenue, near Fulton Street, crawling on his hands and knees, and with no shoes on, according to Ptls S. R. Smith and B. L. Blackwell. When asked what he had been drinking, he allegedly said, "Good whiskey."

The officers were unable to smell evidence of alcohol, however, Bullard said.

Police records show that Barrett was lodged in the city jail on a plain drunk charges at 2:21 a. m. Thursday. He was found to be sick at 4:15 a. m. and taken to Grady Hospital. He was admitted to the medical ward at 5:50 a. m., records show.

Police, said, however, they had uncovered evidence that Barrett had gone to Grady for treatment the previous afternoon. They were unable to trace his movements after entering the hospital until he was discovered hours later on the street.

FRONT PORCH

Lt. Bullard said that an unidentified man said he saw Barrett sitting on his front porch, bleeding from his nose, and took him to Grady. He left Barrett there, however, and did not know what happened to him. It was understood that Barrett had called a taxi to take him home, but the cab was late in showing up.

Police said they learned about 9 a. m. Thursday that Barrett was in a serious condition at Grady. Upon arrival they found Barrett on an operating table.

"I watched them shave his head myself," Bullard declared, and asserted there were no marks of violence on his head.

"NATURAL CAUSES"

"From all indications he died from natural causes," the detective added.

Further investigation, however, revealed that Barrett had been sick for several years, and had seen several doctors. A former ice man, he was injured recently when 100 pounds of ice fell on him.

His wife, Mrs. Estelle Barrett, told police that her husband had not indulged in intoxicants for several years since he began suffering from high blood pressure.

Police said there was no evidence that Barrett had been drinking, other than his statement, which may have been made under delirious conditions. However, the test would not be conclusive, police said, because four or five hours lapsed between the time he was arrested and the blood test. The body was sent to Cox Funeral Home.

Something Must Be Done Now!

Within the past two weeks two Negroes have died as a result of fractured skulls while in the custody of the Atlanta Police Department, although the deaths actually occurred at Grady Hospital. Last week James Fisher, 45, a prisoner, died from a head injury after being carried from the city jail to the hospital. After his death, police reported that he sustained a blow when he was thrown from a trolley. A Coroner's jury exonerated the operator of blame for the death and ruled the death as accidental after reading a City Code which authorizes a conductor to remove intoxicated persons from street cars. In the light of other evidence regarding this case we think it should be pursued further.

World p. 6

This past Monday afternoon Lovett Thomas, 41, is reported to have attempted to escape while with a work crew after having been sentenced to forty days for being drunk. The construction guard is reported to have carried Thomas to the city jail from which he was later sent to Grady where it was revealed by the doctors that he also had a broken skull. Wednesday afternoon he died.

Atlanta, Ga.

13c

Dat. 4-25-53

This is a most serious and deplorable situation and frankly we are alarmed.

There is a report also that the latter victim is supposed to have been under the influence of whiskey when he allegedly attempted to escape despite the fact that reports state he was arrested on April 4th. If true, this raises the question of how are prisoners able to get whiskey while under arrest?

Ga

We know there is a campaign on for a city election. But election, or no election, we think, and the situation demands, that prompt action be taken now to bring to account the party or parties who are responsible for these two recent deaths.

We have no desire to see the Police Department brought into the current campaign and it need not. Certainly, in the latter case it should act on the evidence it should have available.

NAACP TO PROBE RECENT DEATHS OF 2 CITY PRISONERS

13e

The Atlanta Branch NAACP, which concludes its 1953 membership-financial drive Sunday, will push an investigation today into the recent mystery deaths of two city jail prisoners.

World

p. 1

The Police and Legal Redress committee of the branch will meet today at noon at the Butler Street YMCA to discuss the deaths of James Fisher and Lovett Dixon, while in custody of police. Appropriate action will be taken to pursue the cases to a successful conclusion, even if appeals to high courts are needed.

Atlanta Ga

Since finances are needed for such action, campaign leadership urges citizens to be as liberal as possible in securing memberships and making donations to the Atlanta NAACP.

Dat. 4-25-53

The membership-financial drive ending Sunday will spotlight a special address at Central Methodist Church by Roy Wilkins, national NAACP administrator and Civil Rights champion. Mr. Wilkins will detail the work and accomplishments of he National Association for the Advancement of Colored People. There will be other interesting numbers on the program which begins at 3 p. m.

J. H. Calhoun is chairman of the Legal Redress committee. Other members being: C. A. Scott, Mrs. Cassandra M. Birnie, Arthur Combs, S. S. Robinson, Miss Romae Turner and A. T. Walden.

Mr. Scott is chairman of the Police Committee and Warren R. Cochrane is co-chairman.

Branch committees also are looking for more applicants for entrance to the University of Georgia and Georgia Tech. They are standing solidly behind the Horace Ward case. involving law school of University of Georgia, as well as the action recently instituted to get a Negro into Georgia School of Technology.

World

Dat. 4-25-53

The campaign leadership is urging Atlantans today to call NAACP solicitors through MAin 6064, or carry money to headquarters at 204 Auburn Ave., N. E., Room 4. Final official campaign funds may be received at the Sunday afternoon mass meeting.

Bishop Green will preside at this meeting.

13e 1953 ILLINOIS

Harvey Women Says Police Iniured Her

CHICAGE ILL.

Mrs. Daisey Stokes Johnson of 14739 Cooper st., Harvey, last week charged Harvey police and a man who identified himself as a State policeman with breaking into her home and inflicting internal injuries on her last June 18.

Mrs. Johnson said her door was pushed open with teriffic force, and that she was pinned between it and a wall, when the officers came to arrest her on a disorderly conduct warrant sworn to by her son-in-law, Alfred S. Allen.

She said she was undressed when the officers came, and had asked them to wait on her porch until she dressed.

According to Mrs. Johnson, the warrant represented a cross complaint. She had sought her son-in-law's arrest after he struck her daughter, Mrs. Aletha Allen.

Mrs. Johnson supplied the name of a Harvey physician whom she said treated her for hemorrhages resulting from the injury, and indicated she will file suit charging the officers with brutality. She is represented by Atty. Leroy A. Charles.

Defender
Chicago Ill.
p. 12
Sat. 7.25.53

Youths Charge Confessions Obtained By 'Beatings' In Vandalism Charged By Cop

Weekly
P.1
New Orleans La.

There's an old adage in the south which says that a Negro's word isn't worth a grain of salt when heard against that of a white man and especially in court. On last Monday the exception to the rule was proved to be just an old saying when a New Orleans criminal courts judge decided that there was something phony about the "confessions" of three youths charged with damaging a policeman's automobile and threw the case out of court.

FRANCIS

Judge J. Bernard Cocke, who never misses the opportunity to give a lesson in race relations whenever he feels the urge, told the court:

"Let the police department do a little sleuthing and more detective work instead of relying so much on these "free and voluntary" confessions.

Dat 4-11-53

"These defendants are not bums, pickpockets or thieves and the state has not proved to my satisfaction that they are not telling the truth when they say they were beaten into these confessions", Cocke said.

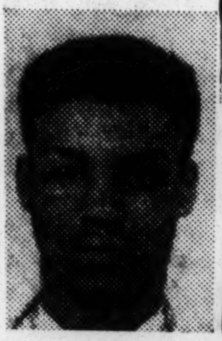
Phil Trice, assistant district attorney, who was prosecuting the case, was told by the judge:

"Now don't catechise me, Mr. Trice. You're my friend but don't try to tell me how the police department operates".

The state's case was based entirely on the confessions.

Sgt. Joseph Giarusso testified that about 7 p. m. on the night of January 17 he ordered the accused youths to move on from a street corner near the Carver Theatre after he saw them break a bottle in front of the theatre.

A few hours later, he said, he heard a crash and found that a brick had been hurled through two plate glass windows at the theatre. He also found that his car parked nearby had been damaged. Its windshield wipers were broken off, paint scratched, gas cap removed and the tires slashed.



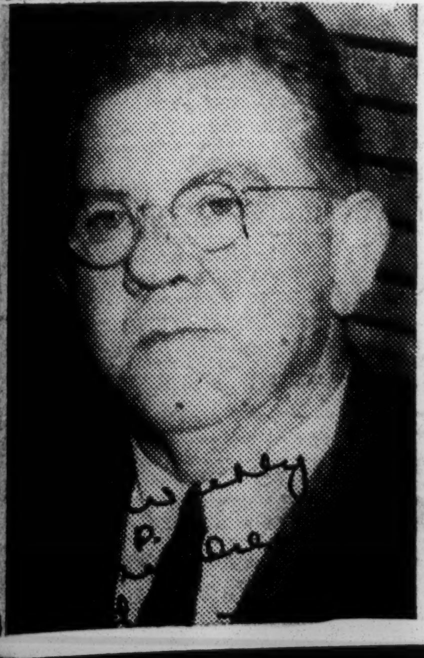
JACKSON

HUMPHREY

The three defendants were arrested and according to the officer's testimony all testified orally and admitted the vandalism and that Eugene Francis, 17, 2401 Lafitte signed a statement describing their actions. Police claimed all of this was obtained without force.

When placed on the witness stand Francis then told the court he was knocked over the head with a flashlight as he was being put into a police car after his arrest. At the police station one by one each was taken into a room and beaten. He said he was put on a chair and struck repeatedly from behind about the neck and ear.

Joseph Jackson, 19, 631 N. Johnson and Charles L. Humphrey, 18, 665 N. Prieur, corroborated Francis' story.



Weekly
P. 1

Judge Frees Trio, Blasts Cop Brutality

Defender

NEW ORLEANS, La.—A district court judge Monday freed three Negro youths charged with damaging a policeman's automobile after deciding that their "confessions" to the charge were not free and voluntary.

The accused trio testified that police "whipped" each of them into confessing the crime after the arrest Jan. 17, by Sgt. Joseph Giarusso, whose car was badly damaged by vandals while he was on duty at the Carver theatre, the night of Jan. 16.

P. 1 La

The state's case was based almost entirely on the confessions and when they were thrown out by Judge J. Bernard Cocke the assistant district attorney, Philip J. Trice, jr., abandoned the prosecution.

13e

The defendants, Joseph Jackson, 19, Eugene Francis, 17, and Charles L. Humphrey, 18, were arrested by Giarusso and four other officers the night following the incident. According to the officers' testimony Monday, all three orally admitted the vandalism and Francis signed a statement describing their action. All of this was obtained without force or threats, the officers said.

Dat 4-18-53

On the stand, Francis said he was hit over the head with a flashlight as he was getting in a police car after he was arrested. Humphrey showed the judge large bruises on his kneecaps which he said resulted from kicks by the officers.

Woman M.D. Asks $10,000 For Beating

Defender
P. 1

NEW ORLEANS — Dr. Myra Elise Chatters, a resident of New Orleans, now a practicing physician in New Iberia, filed suit in Federal District court here last week seeking $10,000 damages from Nic deRouen, sheriff, and Dudley Leleux, deputy sheriff of the parish of Iberia, in which New Iberia is located.

3-53

Dr. Chatters claims that when she went into the auto license bureau seeking a duplicate driver's certificate, a deputy, Ossie Savoie, began to insult her and left the office, bringing back deputy Leleux with him. The physician alleges the deputy struck her on the side of the face and choked her until she fell to the floor. She said he then kicked her in the eye and abdomen. The suit alleges Leleux was acting under orders from the sheriff.

A president of the local NAACP was beaten fatally in New Iberia some years ago and all Negro physicians and dentists were forced to leave the city.

Aid Woman Physician Beaten In Parish Jail

13e
Defender

BATON ROUGE, La. — The Louisiana Medical association last week voted $500 toward the court battle impending following the alleged beating of a woman physician by sheriff's deputies in New Iberia.

Victim of the alleged assault was Dr. Chatters, who has filed a $10,000 suit against Nic Derouen, parish sheriff, and Dudley Leleux, deputy.

P. 5

Dr. Chatters charges she was beaten in the parish jail April 8 in violation of her privileges and immunities under the 14th amendment.

Charge Jail

She said she was detained without a warrant and without being notified of the charges against her. She was arrested after going to the drivers license bureau to check on a traffic ticket.

Dat 6-6-53

At the jail she was beaten by Leleux and Deputy Ossie Savoie, Dr. Chatters said. She charges she was beaten and kicked in the abdomen.

Atty. Louis Berrt has filed her suit in New Orleans. The association is also appealing to Governor Kennon for an investigation of the assault.

Slugged, Beaten While Cop Looked On Says N. O. Man

13e La

Denied the opportunity to speak in his own behalf, a New Orleans man charged in a signed affidavit that he was brutally beaten by a Negro while a policeman called to the scene looked on, in Independence last Tuesday.

John Singleton, 29, 1417½ LaSalle, alleges he motored to Independence to visit his mother, Mrs. Carrie Singleton, and while there he went to Dominic Mascola's grocery to buy some things.

Weekly
P. 1

As he left the store he noticed an elderly woman running out an alleyway screaming. Although curious, he turned to leave when a man, known to him as John Chester, told him not to leave as a deputy sheriff, known as "Johnny" approached.

New Orleans La.

The sheriff, who heard the woman accuse Chester of beating her, said nothing as Chester shifted the blame on him, he said.

Singleton said that when he started to speak up, Chester struck him and when he attempted to defend himself, the officer stated: "Shut up, n - - - r, you are under arrest." He claimed that he was dragged across the tracks and when he attempted to fight Chester, the officer drew his revolver.

Dat 10-31-53

Chester knocked him down and kicked him and offered to go to jail and finish him off.

After a two-hour stint in jail he was released and told never to return.

He had to remain at his mother's house for two days before he was able to return to the city where he was treated at Charity hospital for wounds of the left eye and right side, he said.

White Police Fired for Beating Negro

13e

Courier Md

ANNAPOLIS, Md.—(ANP)—Police Commissioner George W. Rawlings last week fired a patrolman, who had been charged with manhandling a Negro he arrested.

Pittsburgh, Pa.

Rawlings had found Officer Henry W. Trott jr., guilty of conduct unbecoming an officer.

Sat. 8-29-53

Trott was one of two brothers charged with brutality by Mr. and Mrs. Elmo Roberts, who were arrested on an Annapolis sidewalk Aug. 7. Robert Trott testified that he struck Mrs. Roberts with a stick after she tried to run away.

Fire White Officer Who Beat Negro

13e

Md

ANNAPOLIS, Md.—(ANP)—Police Commissioner George W. Rawlings last week fired a patrolman who had been charged with manhandling a Negro he arrested.

Defender

Rawlings had found Officer Henry W. Trott jr., guilty of conduct unbecoming an officer. Rawlings said:

Chicago, Ill.

"I cannot and will not condone this type of policing. I must consider the police department as a whole and its future relationship to the community."

Trott was one of two brothers charged with brutality by Mr. and Mrs. Elmo Roberts who were arrested on an Annapolis sidewalk Aug. 7. Robert Trott testified that he struck Mrs. Roberts with a stick after she tried to run away.

Sat. 10-10-53

p. 4

Henry Trott said he had to punch Roberts twice to keep him quiet on taking him to police headquarters. Denying kicking the man he admitted stepping on the man's head accidentally.

White Ex-Cop To Face Charges For Beating Up Negro

13e Md

BALTIMORE — (ANP) — A former Annapolis policeman who was fired for beating up a Negro he was arresting, must answer federal charges in the same case.

The ex-officer, Henry W. Trott jr., was reportedly indicted by a federal grand jury here last week in the first civil rights prosecution on record in Maryland. The significance of the case is due to the fact that almost without exception a policeman charged with brutality against Negroes are cleared as a routine matter.

Call Post

p. 7

If Trott is convicted of the charge, he could be given a maximum penalty of one year in prison, a fine of $1,000 or both.

The grand jury charges that the policeman assaulted Elmore Roberts, 29 on August 7 while holding Roberts without legal cause.

According to the indictment, the 27-year-old ex-officer administered an illegal and summary punishment to Roberts with intent to deprive him of his constitutional rights, privileges and immunities.

Cleveland

Ohio

The indictment against Trott was returned "under the color of laws, statutes, ordinances and regulations of the State of Maryland," according to the record.

The defendant with about three years on the force, was dismissed last month by police Commissioner George W. Rawlings who said he would "not condone this type of policing."

Sat. 11-7-53

Trott and his brother, Robert, had arrested Roberts and his wife the day of the alleged assault. Robert Trott was dismissed from the force later for misstating his age in seeking the job.

13e 1953 Maryland

Lawyer Asks $25,000 For 'Illegal' Act

NAACP Protests To Commissioner; Citizens Outraged

13e Md

BALTIMORE

One of the patrons "frisked" by police during a raid on the Tijuana night club, last Saturday night, is suing one of the policemen involved for $25,000 damages.

Afro American

Dave Mason, prominent attorney, filed the lawsuit in Superior Court, Thursday afternoon, against Sgt. Charles Wrightson, identified as the police officer leading the raiding squad.

pig

The policemen entered the exclusive supper club shortly after 1:30 a.m., and frisked most of the male patrons in a search for deadly weapons.

The club patrons when the police stalked in included a lawyer, high school principal, Pittsburgh newspaper executive, an associate editor of a national magazine, an off- duty policeman, and a Morgan State College professor, almost of whom were frisked.

Baltimore Md.

In addition to this impressive list, a number of teachers, social workers, government employees, and others prominent in social and civic life of Baltimore were present.

2-28-53

Several of the men, including a dentist, school principal, and school teacher, refused to let the policemen search them. They were passed without incident.

Objected To Search

When Mr. Mason was approached by one of the officers he informed the policeman he was a lawyer and therefore objected to the search of his person—which he considered illegal.

Despite his objections the attorney was also searched.

The petition accompanying Mr. Mason's suit against Sgt. Wrightson reads in part:

On or about February 15, 1953, at or about 1:30 a.m., the plaintiff was peacefully and quietly seated with friends at a table in the Club Tijuana, a highly reputable club and restaurant located at 2674 Pennsylvania ave., Baltimore City, State of Maryland.

"Although the plaintiff was deporting himself in a proper manner, the defendant, without just cause or provocation, approached the plaintiff and unlawfully demand that the plaintiff submit to being searched and frisked under threat and coercion of arrest.

"The plaintiff immediately objected and informed the defendant that he was an attorney and that there was no legal basis or justification for searching and frisking him.

"Defendant retorted that 'he had his orders' and despite being fully apprised of the plaintiff's profession and status as a law abiding citizen, the defendant, with force and violence and abusive language put the plaintiff in apprehension of bodily harm by illegally and maliciously searching and frisking him against his will.

"The plaintiff further alleges that the defendant did unlawfully, wantonly and without cause or justificaton, falesly imprison him at the Club Tijuana and did cause him to be restrained and deprived of his liberty for a considerable period of time against his will.

"And as a direct result of this unlawful and malicious conduct of the defendant, the plaintiff was caused to suffer great embarrassment, humiliation, contumely and indignities among his friends, clients, and associates and further has suffered ridicule and disgrace as a result of publicity attending the occurrence."

NAACP Also Protests

Blasting the tactics of the raiding police, Mrs. Lillie M. Jackson, local NAACP president, has dispatched a letter to Police Commissioner Beverly Ober protesting the incident.

One portion of the letter, also signed by Robert Watts, NAACP attorney, reads in part: "This club is one of our better establishments which has been conducted in a lawful manner and is one of the few places of this type where decent law abiding citizens can congregate.

"There was no apparent reason for searching these men, no suspicion that they were carrying weapons. Certainly the so-called "Frisking Bill" was not intended to be abused in this manner."

In an advertisement appearing in this edition, the club issued an apology to its customers who suffered personal indignation at the hands of police officers last Saturday evening. It said the management has taken steps to see that the incident does not recur.

The announcement is signed by Mrs. Doretha Myers, proprietor of the Tijuana.

Says Rights Violated

13e
Afro-Am 2-28-53

David T. Mason, lawyer, who entered suit Thursday against the officer in charge of a police squad that entered a Northwest Baltimore club and searched patrons for deadly weapons, last week.

SEMI-CLAD BALTIMORE MOTHER FORCED TO GO TO POLICE STATION

Black Dispatch

Legislature Incensed and Will Pass Bill To Prevent Further Indignities

NAACP SUPPORTS NEW MEASURE

BALTIMORE — (ANP) — As an outgrowth of the case of Mrs. Bernice Wilkins, who was allegedly mishandled by police, a bill to set up a three-member special trial board to hear brutality complaints made against members of the Baltimore city police department was introduced in the state legisture by Senator Bernard S. Melnicove (D., Third Baltimore).

13e Md
Okla.

Melnicove said his bill is an indirect outgrowth of the case of Mrs. Wilkins, who was arrested March 3 in the vestibule of her home and forced to go to a police station in her housecoat without arranging for care of her three small children.

The NAACP, which is supporting the new bill, has asked Herbert Brownell, U. S. attorney general, to investigate the arrest of Mrs. Wilkins in view of possible violation of her constitutional rights by the two police officers, Sgt. John Dunn and Officer Bernard Zilinski.

4-4-53

Police charged the housewife with disorderly conduct after she refused to let a workman pass through her house to make repairs on adjoining property. The charges were dismissed.

Public resentment spurred a police department investigation. Police Commissioner Beverly Ober ruled that the officers were justified in making the arrest but erred in charging Mrs. Wilkins with disorderly conduct instead of with assaulting an officer.

Clarence Mitchell, Washington NAACP representative, whom NAACP here contacted to request the department of justice probe, in an official letter to the attorney general, said that Col. Ober has never taken action to discipline officers involved in similar cases.

Daily and weekly newspapers have been filled with protests against the police in the case, and with letters like that the one of a woman, who wrote the Baltimore Sun:

13e Md

"The more I read about the arrest of Mrs. Wilkins, the madder I Get! Not because of a racial issue (and I'm not of the colored race), but because the police involved have taken so much upon themselves."

The bill, which was introduced to deal with such cases, would empower the governor to appoint two members of the department with the grade of captain, or higher, plus a Baltimore lawyer to the board which would:

"Hear and try all proper complaints and charges filed against any officer or member of the police department . . . which are made and are filled in accordance with rules and regulations."

The board would submit its findings "with recommendations for punishment if any" to the police commissioner.

The bill also provides that:

"Either party may appeal the decision of the commissioner to the Baltimore City court . . . within 10 days after the commissioner has rendered his decision."

Convicted policemen fired

Md
13e

Annapolis couple's charge of beating began investigation

ANNAPOLS — A second policeman has been dismissed from the force as a result of an investigation here into police brutality charges by Police Commissioner George W. Rawlings.

Afro-American

Patrolman Henry W. Knott was shorn of his badge, uniform, and gun after a police trial board found him guilty Wednesday, of conduct unbecoming an officer and violating rules and regulations of the police department.

P. 8

Baltimore, Md

His brother, Robert Trott, was dismissed earlier this week by the police commissioner after an investigation disclosed the policeman lied about his age on applying for a job on the police force.

Dat 10-3-53

The application gave his age as 21, but the former policeman is really just 20 years of age.

Refusing to go into detailed comment on events in the case, Commissioner Rawlings would only say: "Trott was found guilty of the charges and dismissed.

"A thorough investigation was made and we believe that justice has been served."

Couple Pressed Charges

The brothers, both white, were accused of beating Mr. and Mrs. Elmo Roberts, 43 Paca st., on the night of August 7.

On that night Mrs. Roberts became involved in a fight with another woman, Miss Mary Matthews, on a busy street corner.

Patrolman Robert Knott was directing traffic on the corner and rushed over to the struggling women, grabbing Mrs. Roberts.

The woman charged that when she protested the policeman's rough treatment, he repeatedly struck her with his nightstick.

Meanwhile, Mr. Roberts happened on the scene and protested the alleged beating of his wife.

While the husband was arguing with the policeman, however, a radio patrol car, driven by Patrolman Henry Trott, arrived at the scene.

14 Stitches In Eye

Mrs. Roberts was taken to the hospital where 14 stitches were taken in a cut over the left eye.

Meanwhile, Mr. Roberts was placed in a patrol car and taken to the police station. On arrival there he charged Patrolman Henry Trott struck him twice, and kicked him in the ribs when he fell to the floor.

In his defense before the trial board, Patrolman Henry Trott declared he accidently stepped on Mr. Roberts' head.

The dismissals go down as a victory for the Annapolis NAACP, and other civic organizations, that loudly protested the treatment accorded the Roberts.

Singular credit must go, however, to the two colored city councilmen in Annapolis, Norwood Brown and Roscoe Parker.

Interview Witnesses

Shortly after the incident became public knowledge, Mr. Brown journeyed to the scene of the attack and obtained vital information from witnesses. Mr. Parker interrogated the principals in the case.

On August 10, NAACP attorney, Franklin Bourne, of Washington, presented facts in the case to a session of the Annapolis City Council.

As a result of Mr. Bourne's presentation, Councilmen Brown and Parker introduced a motion recommending that the Council request Commissioner Rawlings to investigate the incident.

The motion was passed without a dissenting vote.

At a hearing before Magistrate David Lyons, August 24, Mr. and Mrs. Roberts were fined $10 and costs on disorderly conduct charge arising from the street corner incident. Magistrate Lyons dismissed other more serious charges.

Before their involvement in the case, neither Mr. Roberts nor his wife had any criminal record.

Police Officer Fired For Being Cruel To Captive

13e Md

ANNAPOLIS, Md.—(ANP)— Po-ings last week fired a patrolman, who had been charged with manhandling a Negro he arrested.

P. 9

Rawlings had found Officer Henry W. Trott, Jr., guilty of conduct unbecoming to an officer, Rawlings said.

June 10-53

"I cannot and will not condone this type of policing. I must consider the police department as a whole and its future relationship to the community."

Atlanta, Ga

Trott was one of two brothers charged with brutality by Mr. and Mrs. Elmo Roberts, who were arrested on an Annapolis sidewalk Aug. 7 Robert Trott testified that he struck Mrs. Roberts with a stick after she tried to run away.

Henry Trott said he had to punch Roberts twice to keep him quiet on taking him to police headquarters. Denying kicking the man, he admitted stepping on the man's head accidentally.

Brutality charged to Md. officer

Afro-American

First civil rights case in state; policeman fired

P. 9
13e

BALTIMORE

In the state's first civil rights prosecution case, a federal grand jury on Tuesday indicted a former Annapolis white police officer who was dismissed from the force for police brutality.

Dat 10-31-53

At the same time, the jury heard similar charges against two Baltimore city white officers involved in another case, but these officers were not indicted.

Baltimore

Lengthy testimony in these cases made the jury take a lunch-hour recess for the first time in four years.

Dismissed From Force

The policeman indicted is Patrolman Henry W. Trott who was dismissed from the Annapolis force on Sept. 24 by Police Commissioner George W. Rawlings when found guilty of conduct unbecoming an officer and of violating department rules and regulations.

This grew out of the arrest on Aug. 7 of Elmo Roberts of 43 Paca st., Annapolis, who accused the former officer of beating him severely with his night stick when he interrupted a street disturbance between Mrs. Roberts and another woman.

The other case involved Sgt. John Dunn and Patrolman Bernard Zilinski, both of Baltimore's Northwestern district who were accused of manhandling Mrs. Bernice Wilkins by dragging her from her home in her nightdress on March 3.

Witness Called Twice

Testifying against the Annapolis officer, Mr. Robert was called before the grand jury twice on Tuesday. The first time, he was closeted with them for 20 minutes; and about a half hour later, he was called back for a three-minute questioning.

The indictment against Officer Trott charges him with illegally beating Mr. Roberts "under the cover of laws, statutes, ordinances and regulations of the state of Maryland."

It holds that the assault was made for the purpose of administering illegal and summary punishment to Mr. Roberts with intent to rob him of his constitutional rights and privileges.

May Face Prison

If found guilty after a federal court hearing, the officer faces a maximum penalty of one year imprisonment, a $1,000 fine or both.

Afro-American
13e Md

Maintaining his innocence, the officer was reported "shocked" to learn of his indictment and was quoted as saying, "I'm being used as a scapegoat to cover up some things that are going on in Annapolis."

Dat 10-31-53

His brother, Robert Trott who was also involved in the Roberts' arrest, was also dismissed from the police force when the investigation revealed that he had lied about his age in applying for the job.

Baltimore Md

Couple Fined $10

At the time of their arrest, Mr. and Mrs. Roberts were charged with disorderly conduct, destruction of property, resisting arrest and assault on officer Trott.

The couple was fined $10 and costs for disorderly conduct, but cleared of the other charges.

Their complaint concerning the brutal treatment by the policeman was taken to police authorities through interest of NAACP attorney, Franklin Bourne of Washington and Annapolis city councilmen, Norwood Brown and Roscoe Parker.

In Baltimore Case

In the case involving the Baltimore officers, Mrs. Wilkins of the 1600 block Edmondson ave. testified before the grand jury for 30 minutes, late Tuesday afternoon.

The FBI has also made an investigation of the case, filing a report with the Department of Justice.

A neighbor and witness in her case, Mrs. Mary Lewis testified for about 15 minutes. They were accompanied to the courthouse by Milton Allen, attorney, who appeared on behalf of W. Emerson Brown Jr., who has been handling the case for the NAACP.

Mrs. Wilkins' arrest created community indignation when she was dragged from her home in nightclothes which became torn and soiled during the tussle.

Repair Work Cause

Cause for her arrest was that she had refused to permit the policemen to allow a workman to enter her home to make repairs on a roof next door.

Recovering from the birth of her third child, Mrs. Wilkins had been confined to her third-floor apartment when the incident occurred. She was taken to the stationhouse, leaving the three children and a lighted gas stove unattended.

Disorderly conduct charges against her were dismissed during the police court hearing.

Complaints about behavior of the arresting officers were filed with Commissioner Beverly Ober who ruled after his investigation that the policemen were not responsible for creating the disturbance.

13e 1953

Michigan

Boy, 9, Slain By Policemen

Afro-American

Warrants Sought For Michigan Men

p. 3

PONTIAC, Mich.—Manslaughter warrants were asked last week by the NAACP against two Pontiac policemen who shot a nine-year-old boy to death early Sunday.

Baltimore Md.

The yough was allegedly trying to break into a restaurant.

The boy, James Douglas Brown, son of Mr. and Mrs. Joseph Brown, of 426 Branch, was shot in the back as he fled across an icy lot near the restaurant.

Sat.-1-31-53

Claimed Son Missing

Brown had notified police that his son was missing shortly before the boy was killed.

Police Capt. Clark Wheaton said the officers, Harry Dubey and Robert Emery, mistook the boy for a man. Capt. Wheaton said the Brown boy was five feet tall and weighed 140 pounds. Examination of the body later revealed that the boy weighed 98 pounds.

The Pontiac police department has refused the request of the NAACP, to dismiss the two white officers pending a coroner's inquest.

13e 1953

MISSISSIPPI

St. Louisan Is Victim Of Dixie Style Justice

13e Miss

Dixie-styled police brutality reared its ugly head last weekend when a St. Louisan visiting relatives in Enid, Miss., was beaten by a Negro-hating white deputy sheriff for no apparent reason.

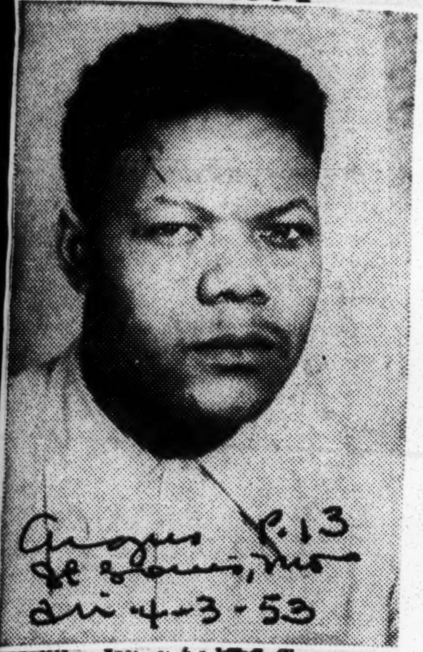
Wheeler Smith, 26, of 4824 Fountain avenue, told the Argus Tuesday that Deputy Sheriff Ross Dobbie struck him repeatedly with his fists while a uniformed state highway patrolman held a gun on him.

Argus

The incident took place on a lonely road Saturday night when the Mississippi law officers forced Smith, his wife and three relatives out of their automobile. They were charged with no law violations.

P. 13

Sat



Argus P. 13
St Louis, Mo
Fri 4-3-53

Henry Winfield Wheeler, president of the St. Louis branch of the National Association for the Advancement of Colored People, said Tuesday that he would ask the Jackson, Miss., branch N.A.A.C.P. to investigate the matter.

Sat 4-3-53

Smith said when Dobbie saw his Missouri state drivers' licenses the deputy sheriff cursed him and said, "You St. Louis n. . . rs think you're smart." Smith denied doing anything to provoke the attack which followed.

Fri 4-3-53

He said after finding no weapons or liquor in the car the white officers searched him, his wife, Mae, an uncle, Tommie Smith, and his 14-year-old brother and 12-year-old sister. They were on their way to visit an aunt who lived five miles away.

The St. Louisan was visiting his parents, Robert and Willie B. Smith of Route 1, Box 36, Enid.

Smith said that Deputy Sheriff Dobbie has a reputation in the small community for his bigoted attitude toward Negroes. He said that he knew the officer when he was a youth in Enid. Smith has lived in St. Louis eight years. He is the father of a 2½-year-old-son.

Local Chief Says Beatings By Policemen In Violation Of Policy Of The Jackson Police Department

Say Loud Mouthed Vulgarity On Farish Street And Switchblade Knife Toting Must Go

Chief of Police W. D. Rayfield and Chief of Detectives M. B. Pearce, of the Jackson Police Department condemned all forms of police brutality and told the Jackson Advocate in a conference in the Municipal Court Building last Saturday morning that beatings by arresting officers are in violation of the fixed policy of the Jackson Police Department.

13e
Advocate
P. Miss

The conference with the editor of the Jackson Advocate came as a result of Police Department investigation of the rash of police beatings of Negroes on Farish Street which developed after a petition had been presented to city officials calling for more law enforcement on Farish Street, the most recent case being the beating of C. T. Butler in downtown Farish Street early Saturday afternoon now three weeks ago.

Jackson Miss
Sat 8-22-53

The report of the Butler incident aroused widespread concern and complaint from responsible Negro citizens of the city and led to its investigation, as well as other such incidents, by Chief of Detectives Pearce; whose investigation revealed that Butler had a long criminal record and had been sentenced three times to the State Prison.

In stating the policy of the Jackson Police Department in regard to police beatings and brutality Chief Rayfield said that he would welcome the bringing of all such cases to his attention by responsible citizens, and said that the recent rash of beatings were the acts of individual officers and not as a result of instructions nor the policy of the Jackson Police Department.

Advocate

In regard to law enforcement on Farish Street Chief Rayfield said that many complaints of loud-mouthed vulgarity in the street had been received at police headquarters and decent Negro citizens had professed being afraid to walk Farish street because of the conduct of some folks on the street.

Sat 8-22-53

The Chief said that loud-mouthed vulgarity would be stopped on Farish Street and that persons heard using such language would be arrested and fined.

The switchblade knife toters also came in for comment from Chief Rayfield who indicated that a way will soon be found to stop switchblade knife toting in the city.

13e 1953

Missouri

'Browbeating' Charge Leveled At Patrolmen

Argus
P. 1
St. Louis, Mo.

A charge that there is a belief that there exists a "collaboration" among white officers to "beat and browbeat" colored citizens, has been made by Henry Winfield Wheeler, president of the St. Louis branch of the National Association for the Advancement of Colored People.

Ar. 2-26-53

Wheeler made the charge to I. A. Long, president of the Board of Police Commissioners, in regard to the slugging of James Bell by a traffic officer on Feb. 4.

Bell, a veteran of World War II, was hit in the eye by Officer George Schnitzer while in custody within the Ninth Police District. Bell, who had been arrested on a speeding charge, said he was hit without provocation. Bell, who comes from a pioneer St. Louis family, has no previous police record.

13e
Mo

Wheeler, in his letter, said court action may be necessary to get relief from police brutality unless the board gives the matter its serious attention.

Pointing out that the St. Louis branch is "cognizant of the fact that some of the white policemen have no respect for colored citizens and hit them without the least provocation", he said the body was much disturbed by this kind of conduct.

Wheeler also pointed out the custom of many officers to refer to Negro men as "boy", asking that the police board instruct officers to obey the constitutional rights of citizens on search and seizure.

Bell, a 10-year employee of the Post Office, resides with his family at 4666a St. Ferdinand avenue.

Man Not Booked But

Forced By Policeman To Crawl Over Floor On Knees 35 Times

Jimmie Parks, 33, of 2824 Bernard street, filed a complaint with the St. Louis Board of Police Commissioners here this week stating a police officer in the Ninth District made him crawl around the floor on his knees 35 times while beating him across the head with what he believed to be a raincoat.

13e
Argus

Parks identified the officer by a badge number which investigation revealed belongs to Michael Gozdik.

P. 3
Mo

The incident developed last Saturday night, when between 1:00 and 1:30 a.m., the officer arrested Parks on Franklin avenue near Elliot street.

St. Louis,
Mo

In his complaint Parks charged that the officer arrested him after taking offense when he referred to himself as "being a man." No other charge was mentioned by the officer, Parks said.

Ar. 4-24-53

At Ninth District Station, Parks said he was placed in a cell for a brief period. He was taken from the cell to a room where, according to the complaint, "further remarks were made by the officer touching Parks' statement of manhood."

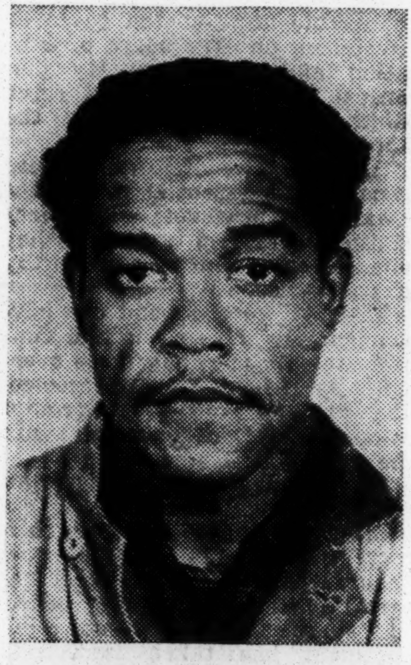
13e
Mo

The officer ordered the man to get on his knees and crawl around the room 35 times. Parks said no one was in the room except the two of them and while he was performing the command, he was repeatedly struck over the head with a garment he believed to be a raincoat.

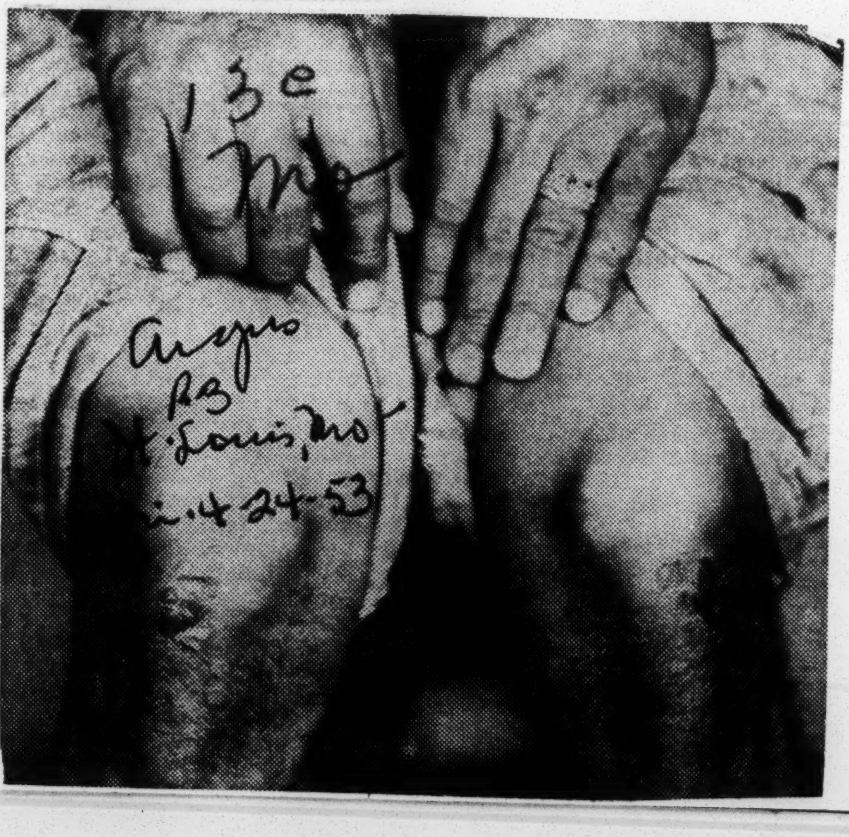
He was returned to the cell where he remained until about 10 a.m., that morning and was then released without charge of any kind.

Examination of both knees disclosed injured areas. Parks said they were the result of having been forced to crawl on the floor.

He urged that an investigation be made by the Police Board and that Gozdik be disciplined.



JIMMIE PARKS



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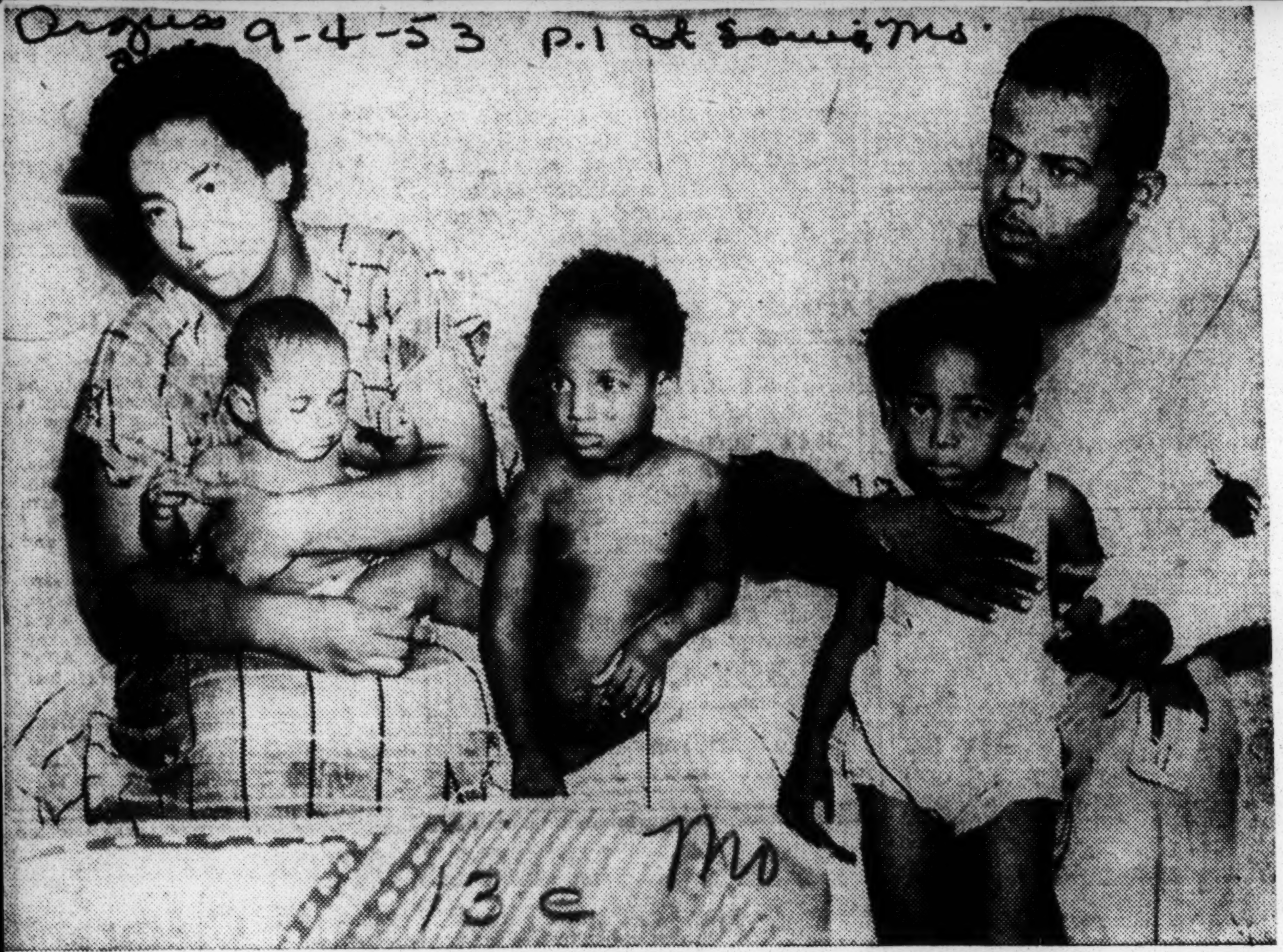
St. Louis, Mo
Ar. 4-24-53

Argus 9-4-53 P.1 St Louis, Mo.



3e Mo

PAUL GRIMES has filed a complaint with he police inspector charging Cpl. Jesse Gray of he Tenth District with police brutality. Grimes harged that the officer beat him inside a patrol wagon while he was handcuffed, causing a head injury and a compound fracture of the left arm. **He is shown here with his wife, Clara, and three of his five children.**

13e 1953

FBI, Prosecutor Begin Police Probe

Afro-American P. 8

Keenan Welcomes Fair Study, Confident Of Vindication

Baltimore, Md.

NEWARK

Recent allegations of police brutality in Newark are being investigated by two agencies, it was announced Friday.

Prosecutor Edward Gaulkin of Essex county announced that he has appointed Assistant Prosecutor Joseph Hayden to look into the charges, and to begin presentation to the grand jury on April 22.

13e N.J.

Dat. 4-25-53

Don S. Hostetter, state FBI director, said his agency is making a preliminary and routine investigation.

Keenan Welcomes Study

John B. Keenan, director of public safety, said Friday he would welcome an "impartial investigation" of the charges and was confident of vindication.

He said he told Prosecutor Gaulkin that he would be glad to testify before the grand jury without being subpoenaed.

He added that he is ready also to sign a waiver of immunity as one way of keeping the civil rights issue from becoming a "political football" in Newark.

Cites Record Of Good Will

Keenan has held lengthy conferences last week with representatives of the Urban League, the NAACP, and colored leaders in which he categorically denied the charges of brutality.

He pointed with pride to his record of appointments of colored policemen and one fireman, and his long friendship with colored citizens, symbolized by a citation he received some years ago from some business and professional leaders.

Sergeant Spurs Controversy

The investigations under way stemmed from recent testimony in Essex County Court by Sgt. Charles H. O'Connor.

The officer testified that he had beaten two men charged with mugging with a nightstick on "instructions" from Keenan. The two defendants were acquitted by the jury in 20 minutes.

The investigations will also cover the case of two white brothers who charged—a few days after Sgt. O'Connor's testimony—that they were beaten April 3 at the Fourth Precinct station.

Both the NAACP and the CIO sent telegrams to Representative Keating in Washington demanding investigation by his committee of the Newark police brutality charges.

Citizens call shooting fray 'inexcusable'

Afro-American

Officer on duty 5 weeks to face homicide charge

P. 1

Newark, N.J.

ASBURY PARK — The fatal shooting of a 21-year-old youth who failed to heed a white rookie patrolman's warning on Wednesday, Oct. 21, was severely criticized by leading citizens and civic leaders.

The victim, Lee A. Williams of 135 Sylvan ave., died in Fitkin Hospital, Neptune, five hours after he was felled by a bullet fired by Patrolman Peter Montana.

Dat. 10-31-53

He was struck in the hip as he tried to jump over a fence.

Officer Back On Duty

The officer was suspended temporarily but was returned to duty the next day (Thursday) following an investigation by the prosecutor's office.

13e N.J.

NEW JERSEY

Police Chief Fred A. Lembke said Patrolman Montana "did his duty," and praised three other officers involved in the attempt to arrest Williams for their alertness.

He added, however, that a charge of homicide against Montana will be presented to the grand jury for action.

5 Weeks On Duty

The officer was sworn in as a probationary patrolman last month and has only been on regular duty about five weeks.

Resentful citizens labeled the youth's death as "unjustifiable murder" and "inexcusable."

Two Witnesses Held

Held as material witnesses are:

Ben Anderson, alias Robert Davis, 20, of 138 DeWitt ave., who police said has a criminal record; and Richard Walker, 23, of 422 Drummond ave., Neptune. They were with Williams in the Savoy Bar and Grill, 1108 Springwood ave., before he was killed.

Police quoted the dead man's unidentified girl friend as saying, that he had a gun earlier that night when they had an argument.

Here's the police chief's version of what happened as reported to him by the four officers involved:

Patrolman Andrew Jackson, colored, and Patrolman Harold Cohen, while on duty in the Springwood ave. area, became suspicious when they saw Williams walking on the avenue.

Afro-American

Patrolman Jackson saw a bulge in Williams trench coat pocket and assumed that he was carrying a gun.

Dat. 10-31-53

A patrol car came by with Patrolmen Montana and Eugene Annunziato and Jackson told them to stand by.

Suspect Pulled Gun

Williams went into the Savoy Bar and Grill and the four officers closed in.

13e

Patrolman Cohen stopped Williams and started to search him. The suspect pulled out a gun, pointed it at the officers, and ran to the rear of the building.

N.J.

Patrolman Montana fired a warning shot over the suspect's head. When he failed to stop, Montana fired a second shot, as he attempted to swing over a fence.

In the meantime, Ben Anderson who was in the bar with Williams tried to get away, but Patrolman Jackson caught him as he was running into a restaurant.

13e 1953 New York

Afro-American

New York

NYC CALLED 'CITY OF TERROR:'

Powell Says Monaghan Should Quit Police Job

By LOUIS LAUTIER

WASHINGTON, (NNPA) — A special congressional investigation of a secret agreement made by the Department of Justice with the Police Commissioner of New York City to keep the FBI from investigating complaints of police brutality in New York was begun here last Thursday.

The hearing opened with Rep. Adam Clayton Powell, (D., N.Y.) as the first witness. Speeches by Mr. Powell and Rep. Jacob K. Javits, (R., N.Y.) on the floor of the House last Wednesday sparked the inquiry.

In opening the hearing, Rep. Kenneth B. Keating of New York, chairman of the special committee which is investigating the Justice Department, praised Mr. Powell and Mr. Javits for testifying before the committee as "direct spokesmen for the people of New York City."

Made In Lane's Office

According to Mr. Powell, the secret agreement was made after a conference held in the office of U.S. Attorney Miles Lane in Foley Square, New York City, in July, 1951.

Mr. Powell exonerated Mr. Lane from complicity in the agreement. He said Mr. Lane simply permitted use of his office for a conference attended by Police Commissioner George P. Monaghan and his two top aides, Chief Inspector Conrad H. Rothengast and First Deputy Commissioner Frank Fristensky Jr., representing the New York City Police Department, and former Assistant Attorney General James M. McInerny, who was in charge of the Criminal Division of the Justice Department.

After the conference, Mr. Powell said, a memorandum of the agreement was put into the files of the Justice Department. Robert A. Collier, committee counsel, later put into the hearing a copy of the memorandum in question. It was dated July 30, 1953, addressed to A.B. Caldwell, chief of the civil rights section of the Justice Department and was signed by McInerny. The text of the memorandum follows:

"Subject: Civil Rights Violations by Members of Large Metropolitan Police Departments.

"It is requested that in the future my attention be called to alleged violatins of civil rights involving personnel of law enforcement agencies of large metropolitan areas before any investigation is authorized.

"This is desired so that appropriate steps can be taken to minimize possible deleterious effects on normal relations between representatives of this Department and other law enforcement agencies and such police agencies."

Prevents FBI Action

The net effect of the conference in New York, mentioned in a memorandum written July 29, 1952, by McInerny to Caldwell, was to prevent the FBI from interfering in any civil rights cases in New York City, Powell stated.

Powell suggested that the committee call as witnesses Louis B. Nichols, an assistant director of the FBI, and J. Edgar Hoover, the FBI director, who, he said, would testify that FBI agents in New York City were not allowed to question any members of the Police Department.

"They were completely cut off from any of the officers involved in civil rights cases," Powell testified.

"City Of Terror"

"New York City is a city of terror for minorities," Powell continued. He pointed out that suits for damages totaling more than $3,000,000 in police brutality cases have been filed and are pending is the courts.

"In the Bronx, Manhattan, Brooklyn, everywhere, we have met with no success through the Police Department in getting justice," Powell said.

Powell revealed that he had laid before George Tridner, who was chief of the civil rights section in the Justice Department, in the summer of 1951 a case involving the killing of a colored veteran. The FBI moved into New York City, investigated this case, and after two months of investigation, Powell said, Nichols called him and told him for the first time in the history of the North the FBI felt it had a case and would take it before a Federal grand jury.

Monaghan Knew Nothing

Monaghan knew nothing about the investigation the FBI had made until it was over and he swore that would never happen again, Powell testified.

The case of John Derrick was taken before a grand jury and whitewashed, Powell charged, and from that time on Monaghan tried to get some kind of an agreement to keep the FBI off the police of New York City.

"It is ridiculous that we Northerners fight for civil rights in the South and here in New York an agreement keeps victims from appealing to the FBI to help them when the Police Department is involved.

Beating Of Two Men

In New York City a Federal grand jury is investigating the alleged beating of Jacob Jackson and Samuel Crawford, two colored men, who were said to have been beaten in the W. 54th st. station last August while handcuffed.

Powell told the committee that in that case the Justice Department had asked Monaghan to give the FBI a complete and full report on the case.

"I charge that even here the Police Commissioner of New York City was in error, dangerously vicious, in the report he sent to Nichols and Hoover," Powell said.

Didn't Mention Beating

The New York Congressman charged Monaghan with "deliberately supressing the most important evidence in sending the report to the FBI." He said Monaghan never mentioned that Jackson had been beaten by the police, that he had been hospitalized, and that his hospitalization was of such serious nature that Jackson now has two steel plates in his head.

The report in the Jackson case, Powell said, was signed by Rothengast.

Monaghan should be fired immediately, Powell said. "Every day that he is in office is a disgrace to my town and a disgrace to our country. He has deliberately lied from the beginning, stating there was no conference and there was no understanding at the same time that an Assistant Attorney General was stating there was an understanding."

"Criminal Conspiracy'

Powell told the committee that there seemed to him to be "a criminal conspiracy to circumvent the laws" of the United States in the agreement, and that it made no difference that Monaghan said FBI investigations of police brutality were bad for the morale of New York City cops.

Police Department morale is bad in New York City because "officials in the department are corrupt," Powell charged. He referred to unsolved murders along the New York waterfront, bookmaking and prostitution being "rampant in New York City." He accused the "top brass" of the department of "getting paid off."

Powell told the committee about the case of John Derrick, a veteran who had just returned from Korea and was walking down Eighth avenue in his uniform.

Had $3,000

Powell said Derrick had on him about $3,000 he had got as Army mustering out pay, some he had saved, and some he had won while returning to the States.

Derrick himself did not drink, Powell said, but he bought drinks for two friends and flashed his roll in paying for the drinks. The bartender saw the roll, Powell said, and remarked to Derrick that he had a lot of money and Derrick replied that he had $2,000 or $3,000.

According to Powell, about 15 minutes later a squad car pulled up and John Derrick was killed with his hands in the air, flanked by two persons — killed from the squad car.

Frisked Dead Man

One of the officers kept the crowd back and the other officer frisked the dead man, Powell said, and the two officers then got in the car and left. They returned later and allegedly found a gun on Derrick. They had not found a gun when the initial search was made.

"Also when John Derrick's body arrived at the morgue," Powell said, "there was no money on him."

The secret agreement keeping the FBI from investigating complaints of police brutality was abrogated by former Attorney General James P. McGranery last Dec. 14, the day he learned about it.

Mr. Javits and Representatives Isadore Dollinger, Democrat, and Francis E. Dorn, Republican, also testified before the Judiciary Committee.

New York Stunned By Secret Deals

Afro-American 13e

Civic Groups Scream For Monaghan's Scalp

p. 1 NY

By JAMES L. HICKS

Baltimore Md

NEW YORK — The exposure of a secret agreement between Justice Department officials and the New York City Police Department, under which New York Police were assured they would not be investigated by the FBI when they violated the civil rights of colored people and other minority groups, set this city in a mad turmoil last week with the following results happening in quick succession:

1. Nineteen civic groups led by the NAACP called for the resignation of Police Commissioner George P. Monaghan.

2. A Federal grand jury launched an official investigation of the New York Police Department, marking the first time in the history of the department such an investigation has been held;

3. Officials of the House of Representatives sub-committee on Judiciary Affairs arrived in New York Friday and immediately started their own investigation beginning with an hour and a half conference with Commissioner Monaghan and proceeding directly to a half hour period with Mayor Vincent Impellitteri.

Made In July

The secret agreement, one of the most brazen documents in American history was drawn up last July between James M. McInerey, then the assistant U.S. Attorney General and Chief Inspector Conrad H. Rothengast of the New York City Police Department.

Afro-American

Under the terms of the agreement, Justice Department officials agreed not to conduct an official investigation of the New York Police Department when the NAACP and other civil rights groups complained to the Justice Department that New York police had violated the civil rights of a particular individual.

p 1

Baltimore Md

(See Photo On Page 3)

Instead of conducting such an investigation as required by law, the Justice Department agreed to refer such charges back to the New York Police Department and allow the department to investigate for itself.

Date 2-28-53

Protected Policemen

The effect of the aggreement was to protect New York City policemen from the same type of Federal investigation which hangs so heavily over the heads of white policemen in the South when they beat colored prisoners during and following their arrests.

In a nutshell, the Justice Department, in forming the agreement, was saying in effect that "we'll ride herd on policemen in the South who become involved with colored people, but we'll let New York police who get involved with them work it out for themselves."

Afro-American

The very protection which the agreement granted to New York police proved to be their own downfall in bringing the secret agreement out into the open.

Date 2-28-53

Turned Down Request

The agreement came to light when Commissioner Monaghan turned down a request by FBI agents to interview six New York policemen whom the NAACP had charged with police brutality.

Commissioner Monaghan is said to have told the FBI agents that he had an agreement with the Justice Department that they would not investigate any of his men. The FBI agent, Leland Boardman, however, did not know of the "deal." He went back to his office and got in touch with the then Attorney General, James P. McGranery.

P 3e

Baltimore Md

NY

Attorney General McGranery did not know of it either but when he learned about it he promptly ordered the agreement canceled. This was six days before McGranery resigned from office.

Commissioner Monaghan, it is said, still refused to let the men be questioned even after Mr. McGranery broke off the "deal" and it was then that the Justice Department called on a grand jury to investigate the New York police.

When the deal was brought to light "the roof fell in" on the Police Department and City Hall here. NAAPC officials and many other colored people in New York had long been puzzled by the failure of the Justice Department to take recognition of their many complaints of brutality against New York police.

But, for the most part, it was a battle which the NAACP fought alone. A policeman would beat up a colored man in a flagrant violation of his civil rights. The NAACP would appeal the case to the civil rights section of the Justice Department and after a long delay back would come the report, "The case is under study." Nothing ever happened after that.

NAACP Gets Help

With the disclosure of the secret agreement, however, the NAACP found no difficulty getting both civic and official help. ment in scathing words and demanded an investigation of the police department by the City Council.

But the most crushing blow to New York's "finest" came from the Federal Grand jury which to the unheard of step of summoning six policemen to testify before it on the first day of its investigation.

Scarcely had they been called on to testify when the sub-committee of the House of Representative's Judiciary Committee announced that it would send its chief counsel Robert Collier to New York to question Monaghan and Mayor Impellitteri on the secret deal.

Mr. Collier Arrives

And the announcement had barely made public print before Mr. Collier arrived in New York and went directly to the Monaghan's office and then to the mayor's office.

He told the AFRO as he left the mayor's office that he was here to conduct a full investigation into the agreement. that he did not know how long he would be here, that both officials had promised cooperation and that it was possible before he finished that both the mayor and the police commissioner might testify in his investgation.

Brutality Case Pair Convicted On Cop's Charge

Black Dispatch

NEW YORK — (ANP) — The case which fomented the sensation "police brutality" investigation had another chapter last week.

Jacob Jackson, 32, truckman's helper, and his wife, Genevieve, centers of the probe, were convicted on simple assault charges after 10 minutes deliberation by a three-man bench in Special Sessions Court.

13e NY

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The defendants both took the stand to deny striking Patrolman William Brennan in an incident where the officer broke up a sidewalk card game near their home.

Date 6-20-53

Jackson repeated charges that he was kicked and beaten at the 54th street Police Station. A procession of patrolmen appeared to deny the latter charge, on which Jackson has filed a $150,000 damage suit.

Oklahoma City Okla

An aftermath of the early stages of the case an investigation was made of a report that the New York police department had a "hands-off" agreement with the F .B. I. on probes of police brotality charges.

The department was cleared and Police Commissioner George P. Monaghan then set up a School in Human Relations in the department to better fit officers to handle obstinate citizens. Also a series of hearings was initiated by the department on old charges of police brutality, and the city council has created a body to study the situation as the result of a bill introduced by Councilman Earl Brown.

13e 1953

New York

The N. Y.-Washington Deal

Crisis

DISCLOSURES at the hearing before the House Judiciary subcommittee in New York and Washington last week indicate that there was some sort of aggreement, understanding or pact between police officials of the City of New York and the Department of Justice with regard to accussations of brutality made against Gotham's police.

This agreement was not in writing but there is every reason to believe it was nevertheless in operation until the then Attorney General ordered its discontinuance; and probably this understanding existed with relation to other metropolitan centers where police problems are complicated.

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P.C. NY

Technically, the New York Police Commissioner was correct when he testified that there was no such agreement, there being nothing written down on paper; but an unwritten agreement, if enforced, is just as effective as one that is written.

In this case the understanding, in the opinion of J. Edgar Hoover of the Federal Bureau of Investigation was sufficient to prevent interrogation of accused New York police officers FBI operatives seeking to determine whether or not there had been violations of civil rights.

Such deals cannot be tolerated even where, as in the case of New York City, both law, practice and public opinion surround the citizen with powerful safeguards.

Pittsburgh Pa

Once such a precedent is established, similar understandings will promptly be made between the Department of Justice and every other local police department across the country; and police brutality can then preceed without fear of Federal intervention.

Sat. 3-14-53

We have not been assured as yet that such understandings did not exist with other large cities, and we feel strongly that the House Judiciary subcommittee should find out.

It would be paradoxical, to say the least, if it should turn out that the recent Democrat Administration that shouted more than any other about civil rights was fooling the people by helping to cover up one of the most outrageous violations of civil rights.

Washington Probes New York, Cop Pact

13e NY

NEW YORK—A conference of American leaders was held in New York last week aimed at preventing future undercover agreements suspending federal intervention in cases involving abuse of civil rights by police officer.

Defender

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Representatives of 17 civic, labor, church and minority groups answered NAACP Executive Secretary Walter White's call following disclosures of a "deal" between the U. S. Department of Justice and the New York police department.

Chicago Ill.

Under terms of the agreement, New York police were exempt from investigation by the FBI cases in which police were charged with brutality.

Revelation of the "deal" set off a chain reaction extending from New York to Washington. The Manhattan branch of the NAACP demanded the immediate dismissal of Police Commissioner George P. Monagham.

Sat. 3-7-53

The national office of the NAACP urged Atty. Gen. Herbert Brownell "to stand firm in the abrogation of the incredible secret agreement." In Washington, a probe of the Department of Justice was opened.

The New York meeting climaxed a mass of protest against the agreement. The group appointed a seven-man continuing committee and recommended, in part:

1. That local and federal officials responsible for the agreement be removed from office at once;
2. That the FBI review all recent cases of alleged police brutality in New York;
3. That all cases in which there is evidence of violation of civil rights of prisoners be submitted to a federal grand jury for investigation and indictment of the guilty police officers.

POLICEMAN IS HELD IN BRUTALITY CASE

13e

U. S. Indictment Charges Civil Rights Violation in 1952 Beating of Motorman

Times NY

Patrolman John A. Brullman of the East 104th Street station was indicted yesterday by a Brooklyn Federal grand jury on a charge of violating the Civil Rights Act. The charge was based on a beating Brullman allegedly gave Francis D. Galatis, a 46-year-old subway motorman.

P.1

New York

The indictment, returned by the March panel, was the first handed up by a Federal grand jury in the metropolitan area since the Attorney General's office announced that it would not recognize any agreement between the Department of Justice and Police Commissioner George P. Monaghan that would keep agents of the Federal Bureau of Investigation from checking locally on alleged police brutality.

NY

Wed. 3-11-53

The indictment charged that Brullman had deprived Mr. Galatis of his "rights, privileges and immunities secured and protected by the Fourteenth Amendment of the United States Constitution." The indictment also asserted that Mr. Galatis was "immune from illegal, summary punishment while being held or placed in custody."

Commissioner Monaghan suspended Brullman from duty without pay pending the outcome of the charges at 5 P. M., about ninety minutes after the indictment had been handed up to Chief Judge Robert A. Inch in Brooklyn Federal Court. The commissioner said that he had not received any complaints in the case, but that he had ordered a full investigation.

"If any policeman is found guilty, he should be punished," Mr. Monaghan said. "I'm not in favor of any policeman violating the law."

Times

Wed. 3-11-53

The alleged assault on Mr. Galatis took place early in the morning of March 7, 1952, in the Forest Hills, Queens, station of the IND subway. Mr. Galatis, in a complaint filed in Flushing, Queens, Magistrate's Court after the incident, said he saw Brullman standing between two subway cars, apparently trying to close the doors. He said he asked Brullman to desist. Brullman, he said, followed him into the car and struck him in the head and face. Mr. Galatis also said Brullman later punched him some more in a back room of the Elmhurst, Queens, station house.

13e NY

Booked for Simple Assault

Brullman said he was sitting in the train, with his feet on a seat, reading a newspaper, and that Mr. Galatis pushed him off the seat, spoke rudely and resisted when shown the detective's badge.

Mr. Galatis was booked on a charge of simple assault. He later signed a counter complaint of simple assault against the detective.

After many court adjournments, Magistrate James E. LoPiccolo reduced the simple assault charges to disorderly conduct and then dismissed both cases on May 19, 1952, according to Asher W. Schwartz, attorney for Mr. Galatis. Mr. Schwartz said that Mr. Galatis also had received $500 from Brullman for medical expenses and loss of wages.

Ten days ago the Department of Justice sent the record of the case to the United States Attorney's office in Brooklyn. Assistant United States Attorney Maurice Z. Bungard questioned twelve witnesses at three sessions of the grand jury.

Brullman has been a member of the Police Department since Sept. 21, 1946. As a probationary policeman, he was assigned to the Greenpoint, Brooklyn, precinct. He was also assigned to Motorcycle Squad No. 2, Brooklyn. On Dec. 16, 1951, he was made a detective. He was a member of the Queens Youth Squad when the alleged assault took place. On June 6, 1952, Brullman was reduced to patrolman and assigned to the East 104th Street station.

The Police Department records showed that Brullman had an excellent reputation. His home is at 25-72 Twelfth Street, Astoria, Queens.

Assistant United States Attorney Bungard directed Brullman to appear for pleading next Monday in Brooklyn Federal Court. If convicted, he could receive a $1,000 fine and a year's penitentiary sentence.

DOPE 'N' DATA

by

LOUIS E. MARTIN

One newspaper reporter with a passion for tracking down facts wrote a story last Monday that has turned officialdom in New York City upside down and stirred a storm in Washington.

That reporter is Federick Woltman, a chubby round faced character of average height with an easy going manner that is traditional among veteran newsmen. He is the star reporter on the World Telegram and Sun, a conservative newspaper which you will see under the arms of Manhattan bankers and brokers as they run to catch evening trains that take them to plush palaces in Westchester.

Defender

P.5

Chicago Ill.

Up until Monday at least, Woltman was perhaps best known for his articles attacking pinkos and others around Manhattan who got in his hair. He digs the facts and lets the facts speak for themselves. Those he dug up and released last Monday have been literally screaming all week.

Sat. 3-7-53

13e NY

Woltman revealed that a secret deal had been made between the New York police and an assistant attorney general in the Department of Justice, James McInerney which barred FBI agents from questioning New York cops regarding complaints of police brutality.

A secret deal to exempt New York cops from FBI investigations of complaints on violations of the civil rights of citizens sounds incredible. Yet Woltman had the facts.

He told of a meeting on July 11, 1952 between police officials and McInerney which had been arranged by Police Commissioner George P. Monaghan. At this meeting McInerney agreed to call off the FBI in future cases where the cops were charged with beating up a citizen. In short, the police could ignore the FBI.

Commissioner Monaghan denied the whole story. Thereupon Woltman came up with more facts, including statements made by McInerney to the newspaper admitting that there was such an agreement. The whole town then wanted to know who was lying, the police commissioner or the assistant U. S. Attorney General.

The same day Woltman broke the story on the secret deal he reported that a federal grand jury was hearing witnesses regarding the police beating of two Negroes. The local NAACP had asked the U. S. to act on the brutality complaints.

It was when the FBI moved in on the NAACP complaints that the deal between the New York Police and McInerney was uncovered. The FBI found their hands tied and squawked. McInerney was in the soup for daring to make such a deal and Woltman somehow got the stody.

As this is written, Councilman Earl Brown is demanding that the city council investigate the police department; Congressman Adam Powell is sparking a Congressional investigation into the secret deal; the NAACP has asked the Mayor to fire Police Commissioner Monaghan and Mayor missioner and Mayor Impelliterri is worried stiff for can fear the scandal will ruin his candidacy for re-election.

Woltman's exclusive story has shaken New Yorkers like an earthquake. They were willing to believe that such a thing might happen in Dixie town where bigotry is taken for granted. Such a conspiracy to flout civil rights protection of citizens could not happen in New York, they thought.

No one knows what the upshot of this expose will be. So many accusing fingers are being pointed at the police department that the average New York cop is scared to talk to his bookie even on the telephone. Five will get you ten that there will be a new crew in New York's city hall before the snow flies next year.

Police Assault Case Slated For April 20

NEW YORK — (ANP) — The case of Jacob Jackson, which exploded the probe of the FBI and N. Y. police pace on civil rights cases, was postponed to April 20. Jackson and his wife were scheduled to have been tried Thursday on an assault charge.

The Jacksons were arrested on Aug. 9 on a charge of having attacked a patrolman in Times Square. Jackson later charged that he was beaten by the police in the West 54th Street station. He has filed a $1000,000 suit against the city in this connection through Atty. Edward Jacko Jr.

The attorney stated that the Jacksons had refused an offer by the District Attorney to drop charges against the couple in exchange for release of the City of New York and the police officers involved.

No action was taken by the City Council on a resolution offered by Councilman Earl Brown, Harlem Democrat, calling for investigation of alleged police violation of civil rights by a commission created by the body. The Councilmen, however, decided to study records of such cases occurring during the last few years.

Forgives Cop Who Shot Him For No Reason

13e Sat. 11-21-53

NEW YORK — A judge who has been used to hearing plaintiffs with the eye-for-an-eye philosophy was somewhat surprised last week when Raymond Burns, 46, begged the Bronx County Court for a break for the suspended cop who shot him for no reason last Spring.

Judge Eugene Schulz, slightly taken back at first, praised Burns' request as "almost Biblical in concept," then allowed Cornelius Flynn, 26, to plead guilty to the lesser of four counts returned in the shooting.

P. 5

Flynn, attached to the Bathgate ave., station, was arrested and suspended afer he woulded Burns in the thigh while the latter was drinking coffee in a Bronx luncheonette on April 15.

On trial before Judge Schulz and a jury, Fynn was set last week to open his defense. After a conference at the bench, one of his lawyers asked that he be allowed to plead to the misdemeanor count of "unlawfully shooting and wounding a person without malice."

Sat. 11-21-53

Assistant District attorney David Blatt immediately told him "the people believe that besides suffering any punishment the defendant will also suffer automatically the loss of his job as a police officer."

Then came another surprise as Schulz permitted civil attorney Harry Lipsig to address the court pertaining to the criminal action.

Lipsig, representing Burns, a candy store owner, in a $250,000 negligence suit against the city, said "Burns seems even more concerned about the policeman than he is about the wound he received.

"He is concerned with he fact that Flynn is a married man and relatively new to the department.

"In addition, my client is even more concerned about the broad concepts of the brotherhood of man, and for those reasons I ask the court to grant this defendant every conceivable indulgence."

Judge Schulz, peering down at Burns, then at Flynn, stated:

"It is an inspiring thing, to those of us who daily see the bitterness of one person against another, to see a man who is big enough, charitable enough and, grand enough to appeal for the man who has wronged him. It is almost Biblical in concept."

He then continued Flynn in $500 bail for sentencing Dec. 4. He faces a jail term up to three years.

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Claims Assault By Policemen

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ny

Pedro Ramos, center, of 190 W. 100th st., New York, arrives at Federal Court, Feb. 20, with William L. Patterson, right, national executive secretary of the Civil Rights Congress. Ramos claims he was assaulted by two off-duty patrolmen on June 14, 1952, at 100th st. and Amsterdam ave. The trio intended to see U.S. Attorney Myles J. Lane, but were unable to do so. Meanwhile, another case of alleged police brutality was under investigation by the Department of Justice.

Deny Pacts With Any Other Cities

NEW YORK — An unprecedent case of civil rights violation came to light last week when the New York police commissioner was accused of making a secret deal with Ass't. Atty. Gen'l. James M. McInerney of the Justice department to keep the FBI from investigating cases in which New York police officers are accused of brutality.

Commissioner George P. Monaghan was charged with preventing the Justice Department from investigating alleged police brutality in the case of Jacob Jackson, 31-year-old truck driver who was beaten in the stationhouse while handcuffed to an officer and another prisoner arrested with him.

Jackson had to be carried out of the precinct on a stretcher and had to undergo two brain operations

The pact is in violation of Section 242, Title of the Federal Civil Rights law which was designed for the prosecution of law enforcement officers who deprive a citizen of his rights.

The statute was originally established to curb brutality of officers in Southern states and is punishable by a prison term of one year and $1,000 fine.

CHANGES STORY

The commissioner at first strongly denied any such deal existed between the New York police department and the Department of Justice. But as developments unfolded, he changed it around to say that there was no such "secret agreement."

McInerney denied deals had been made with police of any other city in which police brutality is a problem.

According to the New York Branch NAACP which made the complaint to the Justice department, Jackson was arrested Aug. 8 because he wouldn't move along fast enough following the breaking up of a supposed "crap" game.

His wife, Geneva, and a friend Samuel Crawford were arrested with him because they protested the action of the two arresting officers

Both men were beaten in the station house, Crawford not as seriously, the NAACP charged. The police officers had a different version of what happened, claiming that they were almost mobbed by a crowd of 200 persons.

PLAN SUIT

Edward J Jacko, chairman of the New York NAACP redress committee and attorney for Jackson, charged that the association had filed complaints with both the police department and the district attorney's office before taking it to the Justice department.

He also said he has served notice on the Coorporation Council that a $100,000 suit for damages against the city was forthcoming.

Disclosure of the secret deal was revealed when the Justice Department ordered a federal grand jury investigation of the alleged police brutality, and Commissioner Monaghan and his chief aide reportedly went to Washington to remind the Justice department of their "secret agreement" to lay off cases involving "New York's finest."

It was also learned that the pact was ordered voided by former Atty. Gen. James P. McGranery last Jan. 14, and U. S. Attorney Myles Lane in New York was ordered to begin a federal investigation.

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POLICE BRUTALITY CHARGED

Legal Aid Attorney Says Many of Society's Defendants Were Hurt

Of 8,300 defendants represented last year in Felony Court by the Legal Aid Society, one-third showed signs of physical injury, ranging from scratches to broken jaws, Miss Florence Kelley, attorney in charge of the society's criminal branch, said yesterday in a radio broadcast.

Miss Kelley, who had formerly been with the New York District Attorney's office, said that she believed that some line officers of the Police Department "think it's all right to use brute methods in making an arrest or, which happens more often, when they question a defendant in the police station."

Miss Kelley's statement was made as part of "Report to the People," a WMCA series presenting first-hand tape-recorded interviews with persons who charge they were beaten by the police and officials and organizations interested in the present inquiry.

The attorney said brutality occurred because "I don't think a single one of them [line officers] is convinced that the top brass of the Police Department really condemns such methods."

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300 G Paid Out By NYC

$3,000,000 In Suits Now Pending

NEW YORK — As the secret agreement between local police and the Justice Department balooned into an even more sensational story than the sexy Jelke case, the NAACP here disclosed that the city of New York has paid nearly $300,000 in the last few years to colored people who have been brutally beaten by police.

City Councilman Earl Brown also disclosed that there are presently nearly thre million dollars in damage suits now pendin against the city for the brutality of police who were protected from investigation by the FBI because of the secret deal made between Justice Department officials and New York police.

The case which brought the secret agreement to light was that of Jacob Jackson, a colored man who was beaten unmercifully in a police station house last August 9. According to the NAACP, Jackson failed to move "fast enough" when police broke up a dice game in which he was not involved.

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2 Brain Operations

Police arrested Jackson, handcuffed him to another man, Samuel Crawford, who was involved in the game, and allegedly beat them when they reached the station. Jackson wound up in St. Clare Hospital in a four-day coma and had to have two brain operations to remove blood clots.

The NAACP took up his case and in due course appealed to the Justice Department to investigate to see if Mr. Jackson's civil rights had been violated.

The FBI then dropped around to ask Monaghan's permission to talk to the police involved, but the police chief refused and called the agent's attention to the secret agreement which the agent had never heard of before. He called his chief and that brought the agreement out in the open.

Here are four other cases cited by the NAACP which the organization feels were stymied by the secret agreement. Though the police involved were never convicted, the courts awarded the persons involved a total of $169,500 in the four cases:

Case of Herman Newton

Herman Newton, 22, was shot and killed by an off-duty patrolman March 30, 1949, during an argument over traffic regulations. According to police, officer Donald Mullen, who was in civilian clothes, was driving his automobile along Quincy St., Brooklyn, at 1:30 a.m.

Mr. Newton, driving in a car behind the patrolman, the police said, had been blowing his horn for several blocks.

As the two cars stopped for a red light, Mr. Newton upbraided the off-duty patrolmen. A fight started and Mr. Newton was shot.

He died in an ambulance on the way to Kings County Hospital with a bullet wound in the chest and abdomen.

A Brooklyn grand jury subsequently exonerated officer Mullen because of "insufficient evidence." The victim's widow sued the city and in January, 1951, a Supreme Court jury awarded her $50,000.

Case of John Harvey Brown

John Harvey Brown suffered a fractured skull at the hands of two patrolmen on Sept. 2, 1949 at 4 a.m. Mr. Brown said the patrolmen, Jerry E. Hoan and John Tyson, of the Beech St. station, halted him with drawn guns as he was crossing Franklin Square on his way to work.

Mr. Brown brought suit against the city in January, 1951 a Supreme Court jury voted him $60,000. The city appealed this verdict and the Appellate Division subsequently reduced the settlement to $40,000.

Case Of James B. Harris

Bronx taxi driver James B. Harris charged two patrolmen assaulted him in a police precinct on Dec. 4, 1948. He said he was brought to the station house after his cab almost hit a policeman.

Mr. Harris identified as his assailants Patrolmen Harold Tate and James Guishard, who are also colored.

The victim charged that the beating aggravated his dormant tubercular condition and he was required to enter a hospital the day after the assault. The patrolmen denied beating him.

Mr. Harris sued the city and on March 1, 1951, a Supreme Court jury awarded him $58,500.

Lee Hines, charged he lost an eye as the result of a beating by a patrolman May 31, 1947.

Mr. Hines sued the city for loss of his eye. The Law Department settled the case out-of-court for $21,000 reasoning that if a jury found for the plaintiff it probably would vote a much higher award than the $21,000 settlement.

FBI Agent Swears N.Y. Police Had Agreement With Justice Department

G-Man's Testimony At D.C. Hearing At Odds With Police Commissioner's; Perjury Studied

WASHINGTON (NNPA) — Hearings conducted by the House Judiciary subcommittee, headed by Rep. Kenneth B. Keating, of New York, have produced conflicting versions of the alleged "deal" which kept the Federal Bureau of Investigation from investigating complaints of police brutality involving violations of federal civil rights in New York City.

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Afro Amer

Representative Keating has indicated that the conflicting testimony would be studied to determine whether any one should be prosecuted for perjury.

P. 3

One is the positive testimony of Rep. Adam C. Powell, (Dem., N.Y.) supported by the testimony of Daniel A. Greenberg, an assistant U.S. Attorney in New York, that an agreement existed between the Justice Department and top officials of the New York Police Department which kept FBI agents from questioning police involved in brutality cases.

Baltimore Md.

McInerny Denies It

The other is the denial of the existence of any such agreement, made by James M. McInerny, former U.S. Deputy Attorney General who was in charge of the criminal division of the Justice Department at the time the alleged agreement was made.

Chief Inspector Conrad H. Rothengast, of the New York City Police Department, who was questioned by the subcommittee here last Monday, and New York Police Commissioner George P. Monaghan also denied that any such agreement was made.

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Three FBI agents, however, took the stand last Wednesday and flatly contradicted Commissioner Monaghan. One of the G-men, Leland V. Boardman, agent-in-charge in New York, said that Mr. Monaghan even went so far as to tell him directly:

Nothing Available

"It is the decision of the New York Police Department to make police available to no federal law enforcement agencies for questioning."

The FBI chief also declared that Commissioner Monaghan admitted having said that "civil rights legislation is only for sections of the country below the Mason-Dixon line."

Since the FBI agents' testimony Commissioner Monaghan has refused any reply to queries sent him by reporters.

Unable To Question

Whether one believes that Justice Department officials and the top brass of the New York City Police Department had an "agreement" or "understanding," or not, the fact stands out that after July 11, 1952, FBI agents were unable to question New York police about bruatlity cases.

An undisputed fact developed by the hearings, held here and in New York City, is that a meeting was held in the office of U.S. Attorney Myles J. Lane in New York City on July 11, 1952, between officials of the Justice Department and the New York City Police Department, at which civil rights violations by New York police officers were discussed.

The controversy involves enforcement of the existing Federal civil rights statute, which makes it a misdemeanor for anyone, acting under color of law, wilfully to deprive a person of a federal civil right. This 80-year-old statute has been a powerful weapon against local sheriffs, police officers and other officials who would set themselves above the law and assault or kill a prisoner or a person suspected of crime.

McInerny's Testimony

Hearings before the committee last Monday were highlighted by the testimony of Mr. McInerny, who was first employed as an attorney in the criminal division of the Justice Department. His first assignment was to assist in the establishment of the civil rights section. Later, he became the Assistant Attorney General in charge of the criminal division, which includes the civil rights section.

Mr. McInerny boasted that his record in civil rights cases compared "more than favorably with that of any predecessor.' In the two and a half years he was in charge of the criminal division, he said he requested in every appropriation additional funds to enlarge and strengthen the civil rights section, he increased its staff and raised their salaries.

During this period, he testified, several thousand investigations of alleged civil rights violations were authorized and a comparatively large number of persons prosecuted, including a state police chief, the warden of a large penitentiary, several sheriffs, a mayor, a state's attorney, and numerous deputy sheriffs, marshals, constables and city policemen.

Wrote Memorandum

Mr. McInerny wrote the memorandum which forms the basis of the charges that an agreement was made to keep FBI agents from investigating police brutality cases.

On July 30, 1952, he sent the memorandum to A. B. Caldwell, chief of the civil rights section, requesting him to call to his attention police brutality cases in large metropolitan cities before ordering FBI investigations.

At the time of the N.Y. conference there was pending the case of Leo Cusson, white, who was arrested and charged with impairing the morals of a minor and who brought a counter charge that a confession had been beaten from him by Detective William Ryan of the West 68th Street Squad in New York City.

Who Attended Conference

The July 11 conference was attended by Inspector Rothengast and First Deputy Police Commissioner Frank F. Fristensky, who represented Monaghan. Fristensky testified in New York that he and Rothengast tried to "reach an understanding" with Mr. McInerny on keeping the FBI out of police brutality cases until the Police Department had an opportunity to make its own investigation.

McInerny testified that the suggestion was made at the July 11 conference that the Justice Department bring to the attention of Monaghan the next police brutality case and give him an opportunity to investigate it. He admitted that he was "sympathetically disposed toward such a suggested procedure in a future case."

He denied that any commitment was sought or given. He said the Justice Department retained complete freedom of action. After his return to Washington he wrote the memorandum in question.

Gross Case Reaction

Rotengast testified that reactions from the case of Harry Gross, a bookmaker, in which a large number of New York policemen were accused of taking "ice" to permit Gross to run unmolested prompted the interview with McInerny.

He said this case caused a lot of policemen to retire from the force and cause others to fear to remain in the department.

"What bearing would that have on cases of civil rights?" asked Rep. Edgar A. Jonas, (Rep., Ill.)

Would Rather Retire

Rothengast replied that a lot of officers would prefer to retire, if eligible, rather than be subjected to investigation as a result of taking police action.

"You want this committee to understand that a police officer when he runs into a situation where he senses he might be investigated, gets qualms of fear and feels he must get off the force?" asked Jonas.

Rothengast replied that the officers had physical courage to do their job, but can sense the possibility of danger to himself and family if some person charges him with something that will cause him to be investigated.

13e 1953 New York

Police Brutality's Toll: Death, Broken Skull, Lost Eye, Illness

13e—NY

4 Cases Cost City $169,500

By THOMAS FUREY,
Staff Writer.

Below are the case histories of four recent incidents of police brutality against civilians which cost New York City $169,500 in damage claims.

Case of Herman Newton.

Herman Newton, a 22-year-old Negro, was shot and killed by an off-duty patrolman March 30, 1949, during an argument over traffic regulations. According to police, Patrolman Donald Mullen, who was in civilian clothes, was driving his automobile along Qunicy St., Bklyn., at 1:30 a.m.

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Mr. Newton, driving in a car behind the patrolman, the police said, had been blowing his horn for several blocks. As the two cars stopped for a red light, Mr. Newton upbraided the off-duty patrolmen. A fight started and Mr. Newton was shot. He died in an ambulance on the way to Kings County Hospital with a bullet wound in the chest and abdomen.

New York
N.Y.

A Brooklyn grand jury subsequently exonerated Patrolman Mullen because of "insufficient evidence." The victim's widow sued the city and in January, 1951, a Supreme Court jury awarded her $50,000.

Dat. 2-20-53

Case of John Harvey Brown.

John Harvey Brown suffered a fractured skull at the hands of two patrolmen on Sept. 2, 1949 at 4 a.m. Mr. Brown, a Negro, said the patrolmen, Jerry E. Hogan and John Tyson, of the Beech St. station, halted him with drawn guns as he was crossing Franklin Square on his way to work. He charged the patrolmen had come out of a tavern.

He said they ordered him to empty his pockets and when he displayed a knife he used in his work one of them struck him on the head with his revolver butt.

The two patrolmen denied Mr. Brown's version of the incident. They said their precinct had received reports that a man was bothering women in that area. The patrolmen said they were in their car that morning when they heard a scream and saw Mr. Brown running. They gave chase and when caught, they said, Mr. Brown pulled a knife.

Mr. Brown brought suit against the city in January, 1951, a Supreme Court jury voted him $60,000. The city appealed this verdict and the Appellate Division subsequently reduced the settlement to $40,000.

Case of James B. Harris.

Bronx taxi driver James B. Harris, a negro, charged two patrolmen assaulted him in a police precinct on Dec. 4, 1948. He said he was brought to the station house after his cab almost hit a policeman.

Mr. Harris identified as his assailants Patrolmen Harold Tate and James Guishard, who are also Negroes. The victim charged that the beating aggravated his dormant tubercular condition and he was required to enter a hospital the day after the assault. The patrolmen denied beating him.

Case of Lee Hines.

Mr. Harris sued the city and on March 1, 1951, a Supreme Court jury awarded him $58,500.

Lee Hines, a Negro, charged he lost an eye as the result of a beating by a patrolman May 31, 1947.

Police, however, deny he was assaulted. That night, they said, a Negro girl ran into a Queens station house and told the officers that Mr. Hines, with whom she had been out, was annoying her. The police, however, could not find him in the neighborhood.

They drove the girl to her bus stop. While there, the girl saw Mr. Hines. The patrolmen got out of the car to talk to him. The victim later claimed one of the policemen hit him, inflicting an injury that resulted in loss of an eye. In the meantime, the girl lfet the patrol car and disappeared.

Mr. Hines later could not identify his alleged assailant at a lineup at the station house. When the police finally located the girl two years later she said she didn't see a policeman hit her one-time date.

Mr. Hines sued the city for loss of his eye. The Law Department settled the case out-of-court for $21,000, reasoning that if a jury found for the plaintiff it probably would vote a much higher award than the $21,000 settlement.

MONAGHAN FINALLY CONFESSES:

Admits FBI, NYC. Police Had Secret Agreement

13e NY

By JAMES L. HICKS

NEW YORK, N.Y. — Police Commissioner George P. Monaghan admitted after a withering examination Saturday that the New York Police Department and the Department of Justice did have an "understanding" on certain matters involving police brutality cases.

But he denied to the bitter end of a day long testimony that the understanding hampered the work of the FBI in any way.

Monaghan's admission of the "understanding" was as near as a House sub-committee on Judiciary Affairs could come to getting the police chief to admit that an agreement existed between the New York Police and the Justice Department, which allowed police to investigate themselves in civil rights cases and not be questioned by FBI men.

Afro American
P. 2

The admission came on the scond day of the two day hearing by the House sub-committee which made a special trip here to determine whether or not such an agreement existed.

Collier Gets Admission

The statement concerning the "understanding" was virtually wrenched from the mouth of the commissioner by the steady hammering away of Robert A. Collier, brilliant young chief counsel for the committee and an FBI agent for the past 17 years.

Baltimore
Md.

Chief Monaghan, himself a trained lawyer, proved a difficult witness for even Collier's abilities and at times even a hostile witness, for at one point in the examination Monaghan dramatically rose in the hearing room pointed his finger at Congressman Adam C. Powell and denounced him as a "liar." Mr. Powell was seated nearby but did not take part in the hearings.

Dat. 3-7-53

Despite his repeated statement to the committee that there never was a deal between his police department and the Justice Department, Mr. Monaghan found himself in a serious predicament before the committee at the end of the day's testimony.

Refuted By Witnesses

For despite his denial of the agreement, an assistant United States attorney, two FBI agents, and Mr. Monaghan's own first deputy police commissioner gave testimony to the committee that such an agreement existed.

These men, particularly the U.S. Attorney gave testimony under oath that Monaghan not only knew of the agreement but had discussed it with them and had cited it as a basis for refusing the FBI permission to question two policemen involved in the beating of two colored men.

Monaghan flatly denied knowing of such an agreement or ever discussing it with any of the men. When he did this Congressman Kenneth Keating, chairman of the sub committee stopped him and had Mr. Collier repeat the question:

Did you at any time discuss with the assistant U.S. Attorney or the FBI agents any agreement, pact, or understanding between the police department and the Justice Department?

Then before Mr. Monaghan could answer Keating warned him that the committee had positive testimony from Assistant U.S. Attorney Daniel Greenberg that he had discussed the agreement and that he had discussed it by using the word agreement.

Accuses Greenberg

Commissioner Monaghan said if Mr. Greenberg had so testified he had "lied." Keating then called for a "yes or no" answer from Monaghan and warned him again that "your answer is very important in this hearing."

Monaghan again answered "no."

Then when the hearing recessed for a brief period Congressman Keating told reporters: "We now have a direct conflict of testimony here. Mr. Greenberg told us of his talks with Monaghan concerning the agreement and Mr. Monaghan denies there were such talks. The committee must now process to find where the truth lies."

What he did not say was that someone had perjured themselves under oath to the committee. It also could be said that the weight of numbers was against Commissioner Monaghan. Three of four witnesses called before the committee spoke freely of the "agreement."

Of the four witnesses who appeared Friday and Saturday, Greenberg gave the most damaging testimony to Monaghan's case.

Cites Agreement

He told of how he had been assigned to the Jackson case involving the civil rights of a colored man and how he had gone to Monaghan for permission to have FBI agents question the policemen involved so that he could complete his case and present it to a federal grand jury.

Greenberg said Monaghan had told him that he had an agreement with the Justice Department that his policemen were not to be investigated by the FBI.

He said he checked with officials of the Justice Department and that after checking the agreement was rescinded by Attorney General McGranery, who did not know of it until the Jackson case brought it to his attention.

Greenburg further testified that when he received a notice that the agreement had been rescinded by the U.S. Attorney General, FBI agents again went to Monaghan and requested permission to interview the two policemen.

13e

He testified that Mr. Monaghan again refused to let the FBI interview them, despite the fact that the U.S. Attorney in New York had told Monaghan that the agreement was rescinded.

NY

Questioning Refused

Monaghan denied this. He said he did not refuse the FBI permission to interview the policemen because he did not have that authority.

But his own first police commissioner had testified earlier that he had heard the police chief twice refuse Mr. Greenberg and FBI agents permission to query the policemen.

Monaghan said he simply

asked the FBI to "defer" their questioning of the policemen until he could go to Washington and see Attorney General Herbert Brownell and make arrangements with him about the matter.

He said all he wanted to do was to work out an arrangement with the new administration that would give the New York police department an opportunity to present the findings of an impartial investigating agency to the FBI before the FBI questioned his men.

He stoutly denied that he meant to have the police department investigate itself, but said this could be done by the New York district attorneys.

During his testimony Monaghan repeatedly cited his record as a defender of civil rights. He said he was against all police brutality and that he did not condone this on the New York police force.

Says Powell Lied

At one point he read from a statement made about him by Congressman Powell in which Mr. Powell charged that Monaghan was protecting the "tarnished brass" of the New York Police force.

Pointing to Mr . Powell, Monaghan said "That's a lie and you know it Clay."

Mr. Powell had castigated Mr. Monaghan on a television broadcast two days earlier calling him a "liar" and pointing out that Monaghan would not be able to lie under oath before the committee.

At times members of the press [illegible] Mr. Monaghan might be cited for contempt by the committee. At one of his frequent outbursts Congressman Keating banged for order with his gavel and said "Commissioner, we have been very patient with you. You are a lawyer and you know how to answer questions. I now tell you to answer the questions counsel puts to you and confine yourself to yes and no answers."

Witnesses Photographed

The trial brought out a crowded courtroom and photographers were given the unusual privilege of photographing the witnesses on the stand, though not while they testified. Many colored people lined up in the halls to get into court and hear the testimony.

At the close of the Saturday session Congressman Keating announced the hearings would continue in Washington.

FBI PROBES CHARGE IN N.Y.:

Blonde Says Cop Beat Her; Hated Tan Mate

Afro-American p1 [illegible] 3-14-53

By JAMES L. HICKS

NEW YORK—FBI agents on Saturday launched an investigation into charges by a pretty white housewife that a white policeman beat her with his nightstick and called her a "N---r lover" because she is married to a colored man.

It was learned that the Federal agent questioned the woman and her husband about the charges and also interviewed a doctor who is currently giving the woman medical attention for injuries she said she received at the hands of the policeman.

Sued For $10,000

The woman who filed a $10,000 suit against the city charging police brutality is Irish born Mrs. Elizabeth Azinors who lives with her Louisiana - born husband at 162 W. 84th st.

Late Saturday night Mr. and Mrs. Azinors sat in their apartment and told the writer this story:

Last Dec. 10, Mrs. Azinors found a bathroom window of their apartment open and suspected that a burglar had entered the window to a hallway which led to a store above the apartment.

She called her husband, Isaiah, a merchant seaman who

Mrs. Azinors said, when it became apparent that she was going through with her suit and press police for investigation of the case several persons came to her offering her sums of money and urged her to drop the suit.

"I told all of them, I am not interested in the money, but that man struck me and even my husband does not hit me. I am going to see this through."

Still On Duty

She said it was not the first time Officer Coyle has insulted her about her husband. She said he once accosted her in a restaurant and said, "how are you getting along with that n---r husband of yours?"

As near as could be learned late Saturday night, Officer Coyle is still on the force. He was reported to have been seen in the neighborhood on duty last week.

As the FBI moved in, it also became known that one of the Puerto Rican boys has filed notice of a $20,000 damage suit against the city for the beating he allegedly received at the hands of police despite the fact that he was not implicated in the alleged robbery attempt.

The Azinors have one child, a daughter. Mr. Azinors was injured during the war in an ammunition explosion aboard the ship Panuco. The couple met 11 years ago and was married in 1951. Mrs. Azinors was born in Ireland.

is sick in bed from injuries received during the last war, and he told her to call police.

Mrs. Azinors said Patrolman Peter Coyle whom she knew only as "Whitey" was among the policemen answering her call, and when police arrived, they had with them three Puerto Rican youths whom they accused of the attempted robbery.

Saw Youths Beaten

She said she led police and the youths to the hallway where the window had been pried open and Patrolman Coyle proceeded to beat the three youths after learning that they could not speak English.

At one point during the beating, she said one of the boys fell forward near where she was standing with her husband. She said the policeman sprang after the youth beating him about his body and also struck her husband.

At that point she said she asked Patrolman Coyle "Why did you strike my husband?"

Hit Her With Nightstick

Officer Coyle, Mrs. Azinors said then struck her with his nightstick and said "shut up you n---r loving b---h."

She said she then ran upstairs to her landlord's apartment and then went to the police station nearby to report that the officer had struck her.

When she arrived at the station house she said the officers on duty there tried to make her forget the incident by saying, "Whitey is a good cop, give him a break."

But she said she insisted on preferring charges against the officer and asked that he be called in. She said police then told her they did not know an officer named "Whitey."

Mrs. Azinor said she insisted on waiting while the desk sergeant called in the squad cars and their officers, but that "Whitey" did not show up. But she said she recognized Whitey's partner and she demanded that he bring in his partner. She said Patrolman Coyle was finally called to the station house.

Mrs. Azinors said when Officer Coyle entered the station house, he brushed past her and he said, "Get out of her you n---r loving bitch."

At that point she said the desk sergeant told Coyle, "shut up! This woman is here to prefer charges against you."

A police department hearing was set for Dec. 23. Mrs. Azinors said this hearing was called off when it became known that she also had filed a suit against the city.

Later, she said when she called to ask about the hearing, a policeman asked her to agree to say that her husband had snatched the officer's night stick and struck her himself instead of Patrolman Coyle.

Several weeks later Mrs. Azinors said she injured her ankle and went to a hospital for treatment. She said Patrolman Coyle followed her to the hospital and there begged her to say that her husband had struck her instead of him.

She said he also asked her to "get that Ted Poston off the story." Poston is a colored reporter for the New York Post, a newspaper which has helped lead the fight here against police brutality.

Earl Brown Accuses Mayor of Covering Up for N. Y. Police Department

NEW YORK. — (ANP) — Mayor Impellitteri and Police Commissioner George Managhan were accused last week by City Councilman Earl Brown of "resolutely" trying to cover up charges of civil rights violations made against members of the city's police force.

Brown, whose district includes Harlem, also asserted that the establishing of a police department "community relation school" and the setting up of a civilian complaint board were moves bv officials to thwart a city council inquiry into police actions.

"The smoke screen," Brown declared "will not work. Nobody is fooled by these maneuvers and certainly every one is aware that this move by Commissioner Managhan, two years after he took over the police department represents much too little and is far too late."

Naming Billy Rowe, former theatrical columnist, to the post of deputy police commissioner and now assigning Rowe as one of the race relations "experts" to lecture on community improvements has created resentment in Harlem where Rowe's appointment always rankled and was considered a slap in the face by many Harlemites. This newest wrinkle may further alieniate Harlemites from their former deaf allegiance to Tammany.

Jury airs alleged N. Y. police brutality; secret pact rumored

News P. 3

NEW YORK, Feb. 17—(AP)—A federal Grand Jury today sifted evidence in cases of alleged brutality by New York City police amid reports of a secret unprecedented agreement freeing officers here from FBI investigations in such cases.

The report of a secret agreement also stirred demands by the National Assn. for the Advancement of Colored People that Police Commissioner George P. Monaghan resign.

While Monaghan was not available for comment, Mayor Vincent R. Impellitteri said yesterday he knew nothing about the report.

Daily News

* * *

SEVERAL policemen were understood to have been subpoenaed to appear today before the federal Grand Jury, which yesterday opened a civil rights probe into the case of Negro Truck Driver Jacob Jackson, 31.

13C

Jackson, who was the panel's first witness, was arrested last Summer when police broke up a sidewalk dice game. Jackson claims he was not involved in the game and that he was beaten by police when he protested. He says he underwent two brain operations as a result. He is free in $500 bail on an assault charge.

NY

Word of the Grand Jury probe, published reports said, resulted in Monaghan and an aid going to Washington yesterday to confer with U. S. Justice Department officials.

News 2-17-53

* * *

IT WAS reported that Monaghan last Summer had made an agreement with U. S. Asst. Atty. Gen. James M. McInerney providing for the New York police and district attorneys to investigate complaints of police brutality and report their findings to the Justice Department. The FBI normally handles probes of such complaints under federal civil rights procedure.

The reports said former Atty. Gen. James P. McGranery learned of the agreement only last month, just before he left office, and promptly abrogated it.

McInerney, who had been in charge of the department's criminal division, has since been transferred to the chief post in the lands division.

Monaghan reportedly was in Washington yesterday to try to reinstate the agreement before the federal Grand Jury could start its probe in the Jackson case.

If this were his mission, he apparently failed. A Justice Department spokesman told newsmen after Monaghan left that "there is no agreement—now"

MONAGHAN DENIES POLICE-F. B. I. DEAL TO HIDE BRUTALITY

Times

Angry City Commissioner Thus Contradicts U. S. Official Who Affirms an Agreement

13 P.1 NM

FEDERAL INQUIRY PUSHED

New York

Complaints of Beatings Pour In as Grand Jury Here Studies Charges by Two Negroes

NY

By CHARLES GRUTZNER

Police Commissioner George P. Monaghan angrily denied yesterday that there ever had been a deal with the Department of Justice whereby New York policemen were exempt from routine questioning by Federal Bureau of Investigation agents in civil rights cases involving charges of police brutality.

Wed. 2-18-53

The issue of veracity thus was raised between Mr. Monaghan and Assistant Attorney General James M. McInerney, who said in Washington that such an agreement had been in effect last year. It was learned that a memorandum, dated last July 30, embodying the terms of the agreement, though not bearing Mr. Monaghan's signature, was in Department of Justice files.

The Federal investigation into alleged police brutality here, which has brought six witnesses before a grand jury in the last two days, spread yesterday as the United States Attorney's office turned over to the F. B. I. more than twenty additional complaints of the beating of suspects by policemen.

Fifteen of the complaints were made by alleged victims or their attorneys who visited the Federal Court House on Foley Square, where Assistant United States Attorney Daniel H. Greenberg is presenting evidence to a grand jury studying the beating last August of two Negroes in the West Fifty-fourth Street station house. Other new complaints were made to Mr. Greenberg by telephone and letter.

F. B. I. Will Investigate

The F. B. I. will investigate the complaints and report to the Department of Justice, which may direct a Federal grand jury here to look into them further and find indictments if the evidence seems to merit such action. The complainants were white persons and Negroes from several parts of the city.

Commissioner Monaghan, who had gone to Washington on Monday with Chief Inspector Conrad H. Rothengast to confer with Department of Justice officials, told reporters yesterday it was not true that he had made the trip to seek reinstatement of any agreement that permitted the Police Department in this city to take over invesigative functions performed elsewhere by the F. B. I. in Federal civil rights cases.

In a voice that trembled with indigation, Commissioner Monaghan insisted there had been "no deal with the Attorney General or the Justice Department" at any time concerning F. B. I. investigations of alleged police brutality here. Mr. Monaghan said he had gone to Washington Monday on his own initiative and had "discussed policy matters" with Deputy Attorney General William P. Robers.

Times

Beyond saying they had not discussed "any individual case," Mr. Monaghan remained secretive about the Washington conference. He did say, though, in reply to questions, that Inspector Rothengast and First Deputy Police Commissioner Frank Fristensky Jr. had conferred in this city "about a year ago" with Mr. McInerney about an F. B. I. investigation that had caused some resentment in police circles here.

Wed. 2-18-53

"Baby Sitter" Case Recalled

The original friction between the police and the F. B. I., it was learned, came as an aftermath to the "baby sitter" case in which three Massachusetts teen-age girls came to New York for a spree with $18,000 one of them had stolen from the home of a Nahant physician whose child she had been minding.

Leo Cusson, 21 years old, of 112 Macdougal Street, one of two men arrested on morals charges as companions of the runaway girls, removed his shirt in court on Oct. 20, 1951, and showed Magistrate Emilio Nunez has back, swollen with welts and bruises. He charged that Detective William J. Ryan and other policemen had beaten him four times during the night in the West Sixty-eighth Street police station. Cusson pleaded guilty some weeks later in General Sessions to impairment of morals and received an indeterminate sentence to the penitentiary.

13e

Agents of the F. B. I., investigating an alleged violation of Cusson's civil rights, visited the station house and questioned several police officers, one of whom is said to have refused to give they any information. Higher police officials are said to have felt that such questioning by the F. B. I., as word of it spread from precinct to precinct undermined the morale of policemen who sometimes "had to resort to rough measures in the interests of public safety."

NY

This supposedly led to Mr. Fristensky's and Inspector Rothengast's representations to Mr. McInerney and his granting an exception to the usual F. B. I. procedure in civil rights investigations concerned with "large metropolitan police departments." The quoted expression, according to a Department of Justice spokesman, was used to meet the New York police objections without mentioning this city by name.

A memorandum, sent to A. D. Caldwell, Assistant Attorney General in charge of the civil rights division, with a copy to the New York office, instructs that in such cases Mr. McInerney's attention be called to complaints involving "large metropolitan police departments" before an F. B. I. investigation was started.

Effect of the Agreement

The agreement, according to a Department of Justice official, provided in effect that the New York Police Department be permitted to make its own investigation of accused policemen and send its report to the Department of Justice. The purpose was said to be "to minimize the deleterious effect on normal relations" between representatives of the Department of Justice and the local police.

The instructions were revoked last Jan. 14 by James P. McGranery, then Attorney General, when he learned of the special arrangement. Mr. McInerney, who is now in the Justice Department's lands division, confirmed yesterday that such an agreement had been in existence.

Three physicians were questioned yesterday and medical records put in evidence by Assistant United States Attorney Greenberg before the grand jury that is investigating the beating of Jacob Jackson and Samuel Crawford, who had been arrested with Mr. Jackson's wife, Geneva, in Fifty-fourth Street, between Ninth and Tenth Avenues, for allegedly interfering with and attacking policemen who broke up a sidewalk dice game.

According to the National Association for the Advancement of Colored People, which made the Federal civil rights complaint, Mr. Jackson was kicked by Patrolman William J. Brennan because he didn't "move along" fast enough, and Mrs. Jackson and Mr. Crawford were taken in for protesting the patrolmen's action.

The complaint alleges that the two men were beaten so badly, while handcuffed together in the station house, that they had to be taken to Roosevelt Hospital, and that Mr. Jackson subsequently had two operations in St. Clare's Hospital for brain blood clots caused by the beating.

BRUTALITY INQUIRY BY COUNCIL ASKED

Times

Brown, Charging 'Hundreds' of Beatings, Says Courts Plot to Help Police Cover Up

P. 1+C

By CHARLES GRUTZNER

City Councilman Earl Brown charged yesterday that the police and Magistrates Courts had "seemingly entered into what amounts to a conspiracy' 'to deter citizens from pressing police brutality complaints in criminal courts. He said that a clerk in Uptown Magistrates Court had said he had been instructed not to issue summonses against policemen when requested by complainants.

New York

Mr. Brown, who was elected in Harlem on the Democratic, Republican and Liberal tickets, introduced a resolution at Yesterday's City Council meeting to set up a five-man committee to investigate police brutality.

13e

The committee would also investigate the alleged agreement between police officials and the Department of Justice to exempt New York policemen from routine examination by agents of the Federal Bureau of Investigation in civil rights cases based on alleg brutality.

NY

Wed. 2-25-5

Mr. Brown's resolution w

BRUTALITY CHARGES AGAINST CITY POLICE UNDER U. S. INQUIRY

Times

Grand Jury Starts Hearings in Negro Beating as Monaghan Fails to Keep Out F. B. I.

P.+

BROWNELL REJECTS PLEA

New York

Secret Pact Is Said to Have Exempted This City From Civil Rights Quests for a Time

Times 2-17-53

A Federal grand jury began an investigation here yesterday of charges of police brutality against Negroes as Police Commissioner George P. Monaghan failed, on a mission to Washington, to restore exemption for New York policemen from questioning by the Federal Bureau of Investigation in cases involving complaints of civil rights violations.

13e

Jacob Jackson, a Negro who had two brain operations after allegedly being beaten and kicked in the West Fifty-fourth Street police station, was the first witness before the grand jurors in the Federal Courthouse on Foley Square. Assistant United States Attorney Daniel H. Greenberg also took several medical men into the grand jury room for questioning.

Several members of the police force have been subpoenaed for questioning today.

Monaghan's Trip to Washington

Commissioner Monaghan and Chief Inspector Conrad H. Rothengast went to Washington yesterday morning in an effort to reinstitute what was understood to be an agreement, later abrogated by former Attorney General James P. McGranery, excepting the police of this city from the procedure followed by the Department of Justice throughout the rest of the nation in cases involving alleged violations of the civil rights law.

It was learned that the New York police officials failed yesterday to win any exceptions from the procedure, which provides that the F. B. I. make its own investigation when a complaint is received that any local, state or Federal officer has, under cover of the law, deprived anyone of his civil rights. The penalty, upon conviction, is up to a year in prison and a $1,000 fine.

The secret agreement, the existence of which was not denied by a Department of Justice spokesman, was supposedly made several months ago between Mr. Monaghan and Assistant Attorney General James M. McInerney. It resulted from representations by Commissioner Monaghan that the morale of his force had been injured by the F. B. I. questioning of policemen every time a complaint was made against them of civil rights violation.

Plea Rejected by Brownell

The special arrangement, in effect, left it up to the police themselves or the local district attorney to investigate such complaints and report their findings back to the Department of Justice. Subsequently, when F. B. I. agents sought to question New York policemen, Commissioner Monaghan refused to permit their examination, standing on his agreement with Mr. McInerney. More than a month ago, the matter came to the attention of Mr. McGranery, who promptly abrogated the agreement.

Mr. McInerney had since been transferred from the criminal division, where he had been in charge, to the lands division.

Commissioner Monaghan and Inspector Rothengast conferred for several hours yesterday with Deputy Attorney General William P. Rogers. The Justice Department would make no official comment on the visit, but let it become known that the police officials' attempt to have Attorney General Herbert Brownell Jr. reinstate the special treatment for New York had not succeeded.

Times

A Justice Department official indicated that the grand jury investigation would bring a showdown between the Federal Government and the city administration over Commissioner Monaghan's continued refusal to permit F. B. I. agents to question policemen in such cases.

The National Association for the Advancement of Colored People, which made the complaint to the Department of Justice in Mr. Jackson's case, sent a telegram last night to Attorney General Brownell urging him "to stand firm in the abrogation of the incredible secret agreement."

After a meeting of the association's executive board at the office of Edward J. Jacko Jr., its New York attorney, at 271 West 125th Street, the association's national administrator, Roy Wilkins, said:

"Civil rights is a national issue. The responsibility of the Federal Government to secure these rights to all citizens is as imperative in New York as it is in Alabama."

13e

In a letter to Commissioner Monaghan, Mr. Wilkins said the N.A.A.C.P. was "shocked to learn" that he had suggested such a secret agreement and that a Justice Department official had acquiesced. He called upon the Police Commissioner to give full cooperation to the F. B. I., adding that "police officers who respect the rights of prisoners and other citizens need have no fear of a Federal investigation."

The New York branch of the N. A. A. C. P. followed up the parent organization's action last night with a request to Mayor Impellitteri to demand Commissioner Monaghan's immediate resignation. A telegram signed by Ella J. Baker, president, and Mr. Jacko, called the secret agreement a "conspiracy" and said its disclosure "terminated the usefulness" of Commissioner Monaghan.

Civil Liberties Union Protests

An investigation of the reported secret agreement was demanded of Mr. Brownell and Mayor Impellitteri by the American Civil Liberties Union. Patrick Murphy Malin, executive director of the union, urged in a letter to Mr. Brownell that the grand jury investigate not only the brutality charges against the police but also "whether or not this agreement was in fact entered into and if so whether it was a violation of Federal law."

Mayor Impellitteri would not talk about the matter yesterday.

"I know nothing about it," he said.

Asked whether he would comment on Commissioner Monaghan's and Inspector Rothengast's trip to Washington, the Mayor said:

"No. I did't know they were down there."

Mr. Jackson, a truck driver, was arrested last Aug. 9 outside his home at 433 West Fifty-fourth Street by Patrolman William J. Brennan. According to the N. A. A. C. P., the patrolman, who had chased some boys who were gambling on the sidewalk, kicked Mr. Jackson because he did not "move along fast enough," and punched him when he protested. S Crawford, also a Negro, of West Fifty-third Street, was arrested after he remonstrated with Patrolman Brennan and demanded his badge number. Mr. Jackson's wife, Geneva, also was arrested.

Police officials refused yesterday to discuss the Jackson case in the absence of Commissioner Monaghan. According to the N. A. A. C. P. complaint to the Justice Department, Patrolman Brennan took his prisoners to the West Fifty-fourth station and announced he had "a couple of cop fighters." whereupon he and other policemen beat up the two men, who were handcuffed together.

ferred to the rules committee. Unless it receives preferred treatment it will not come up for a vote for at least three weeks. Meanwhile, three Federal investigations into police brutality and related circumstances are continuing.

House Hearings Start Friday

A House Judiciary subcommittee, which last week began hearings on the reported agreement that Police Commissioner George P. Monaghan has denied ever existed, plans to conduct public hearings in this city Friday and Saturday.

Assistant United States Attorney Daniel A. Greenberg, who has been presenting evidence to a Federal grand jury in the beating of two handcuffed Negroes in the West Fifty-fourth Street police station, is to put several additional policemen on the stand today. The third Federal investigation is that conducted by Attorney General Herbert Brownell Jr.

In the newest case of alleged police brutality, Salvatore Pace, a truck driver, identified Patrolman Morris Lazarus as the second of two policemen who he said had beat him while taking him to the Liberty Avenue police station in Brooklyn for questioning Saturday night after a street fracas.

The Brooklyn truck driver picked Patrolman Lazarus out of a group of policemen lined up at his bedside at 596 Shepherd Avenue. On Monday he had identified Patrolman Gabriel Dillon. Chief Assistant District Attorney Edward S. Silver said the case would "in all likelihood" be presented to a Kings County grand jury.

City Seeks Delay in Suit

The city sought yesterday in Brooklyn Supreme Court to win a delay, until the furor over alleged police disregard for civil rights has died down, in a civil action for $250,000 damages by a woman who was widowed by a policeman's bullet. Justice James S. Brown reserved decision on a motion by Assistant Corporation Counsel Harold L. Cowin to put over until June the trial of the action brought by Mrs. Albertha Fields of 192 Osborn Street, Brooklyn.

Mr. Cowin contended that press, radio and television stories of police brutality had created an atmosphere that would prevent the defendants—the city and Patrolman Samuel Applebaum—from receiving a fair trial.

Henry Fields was fatally shot at Liberty Avenue and Osborn Street, Brooklyn, on May 26, 1951, after a brief chase by Patrolman Applebaum and his radio car partner. According to the police Mr. Fields failed to stop after the automobile he was driving had struck another car. He was shot as he stepped out of his car after it had been halted by a flat tire. Two grand juries investigated but failed to find "sufficient evidence" for an indictment.

Beatings Put In Hundreds

Mr. Brown's resolution asked for a $50,000 appropriation by the Board of Estimate for the investigation, which would sift all charges of brutality ever made against present members of the force and all cases in the last ten years which resulted in payments by the city to victims or survivors. Mr. Brown, a former Harlem police reporter and now assistant editor of a magazine, said there were "hundreds" of cases of police brutality that should be reviewed.

John M. Murtagh, Chief City Magistrate, declined to comment on Mr. Brown's charge of seeming conspiracy in the magistrates courts to protect the police. The Councilman had said it was practically impossible for a citizen to obtain a hearing when he accused a policeman of brutality.

Mr. Brown said he had been informed by Edward Jacko, attorney for the New York branch of the National Association for the Advancement of Colored People, that a Negro woman had been refused a summons on three occasions when she went to Uptown Magistrates Court to bring action against a Negro policeman whom she accused of having beaten her while he was drunk.

'Flagrant' Evidence Ignored

"Mr. Jacko," said Councilman Brown, "stated that the Magistrates Court works hand and glove with the police. It has extended judicial immunity even in cases of the most flagrant charges, with the evidence staring the magistrates in their faces — blood, bruises, cuts, patches, every evidence that prisoners were mistreated."

The N.A.A.C.P. called a meeting for Sunday at the Friendship Baptist Church, 144 West 131st Street, to protest police brutality and Commissioner Monaghan's attitude and actions. Samuel Jackson, one of the alleged victims of brutality in the West Fifty-fourth Street station, will share the rostrum with Representatives Jacob K. Javits, Republican, and Isidore Dollinger, Democrat, both of New York, who last week demanded Commissioner Monaghan's dismissal.

Representative Adam Clayton Powell, Democrat of New York, said the National Broadcasting Company had given him television time to reply to Mr. Monaghan, who in a telecast Sunday had defended his position and denied any agreement with the Justice Department. Mr. Powell will give his answer on Channel 4 at 7 P. M. tomorrow.

Special to THE NEW YORK TIMES.

Legislator Defends Monaghan

ALBANY, Feb. 24—Charges that Commissioner Monaghan entered into a secret agreement with the Attorney General's office to give city police a free hand in dealing with civil rights investigations were denied in the Legislature today.

Assemblyman Samuel Roman, Republican, who represents Mr. Monaghan5s district, said Mr. Monaghan "would never condone any agreement or understanding which would permit acts of police brutality against anyone, regardless of race. to go unpunished."

13e 1953

Fired Cop Calls Shooting Horseplay

Afro-American p.13

ASHEVILLE, N.C. — Joseph Cooper, a white policeman who seriously wounded Thomas W. Simpson by shooting him, has announced that he will appeal his dismissal to the local Civil Service Commission.

Baltimore

'Though witnesses declared that Cooper acted like a crazy man and frightened the other patrons in the fish market where the shooting occurred, Cooper says that his shooting of Thompson was merely horseplay.'

Victim In Hospital

Police Chief Claude C. Waddell first suspended and then fired Cooper from the police department as a result of the incident. Currently Simpson is still confined to Victory Hospital suffering from facial injuries.

At the time of the shooting Cooper was off duty. He will be given a hearing before a local magistrate this week on a charge of assault with a deadly weapon. This charge was preferred against him by Solicitor Lamar Gudger.

Sorry About Shooting

Cooper's lawyer says that his client is very sorry for what happened and that he did not want to cause anyone anymore trouble; that Simpson was a friend of his, and when he snapped his revolver while in the market, he was under the impression that it was unloaded.

One witness complained that before Cooper shot Simpson, he (Cooper) had placed the gun against his (the witness') stomach and thumbed the trigger.

Struck In Face

Other witnesses stated that Simpson pleaded with Cooper not to shoot him. The bullet hit Simpson just under the left cheek bone and emerged at the right side of his nose.

If he had not turned his head at the right moment, he would have been shot between the eyes, witnesses declared.

Ousted Cops Seek Jobs

Two other ousted city policemen last week blamed an ex-convict who was once a brother police officer, for the beating of Joe (Tifty) Edgerton on Dec. 28.

C. J. Lamming, 41, and J. F. well are appealing their dis- rge order at a civil service ring in City Hall.

Edgerton was beaten by Hudson, at one time a policeman, but sent to prison for kidnapping and robbery. The commissioner said a decision is expected about March 10.

N. C. Sheriff Is Convicted

Wed. 6-17-53

13e

FAYETTEVILLE, N. C. — (ANP) — A white deputy sheriff was found guilty last week of assault with a deadly weapon on a Negro man of Linden.

Deputy Sheriff J. A. West, under grand jury indictment, was found guilty after the state had attempted to prove malicious assault in connection with the arrest of Robert Elliot,, the victim of the assault.

West was convicted after state's witness testified that the officer hit Elliott with a blackjack while attempting to make an arrest without a warrant.

Witnesses testified that Elliott was permanently injured as a result of the attack.

West had stated that he struck Elliott one blow with a blackjack after the Negro resisted arrest.

Supporting the testimony of witnesses was Dr. J. A. Jordan of Fayetteville, who told court he attended Elliott the day after the assault on Elliott. He said that the Negro was unconscious when he first saw him. He also said that Elliott suffered two fractures of the skull and the left side of his face was paralized, a condition which he thought would be permanent.

Sheriff Guilty Of Assault In Carolina

13e

FAYETTEVILLE, N. C.—(ANP) A white deputy sheriff was found guilty last week of assault with a deadly weapon on a Negro of Linden.

Deputy Sheriff J. A. West, under grand jury indictment, was found guilty after the state had attempted to prove malicious assault in connection with the arrest of Robert Elliott, the victim of the assault.

NORTH CAROLINA

AND IT KNOWS NO COLOR LINE:

Goldsboro fights police brutality

13e N.C.

By MOSES ROUNTREE

GOLDSBORO, N.C.— Charges of mistreatment of arrested persons by local police were filed with the Goldsboro board of aldermen last week by United Organizations, colored civic group.

Afro-American

Specifically named in the written protest presented by the Rev. G. W. Todd, UO president, as having been mistreated were Leroy Clark, operator of a store near Lincoln Homes, and Roland Rhodes, white, drive - in grill operator.

p.13

Both men appeared before the board to tell their stories at the request of the Rev. Mr. Todd.

Baltimore Md.

Policemen Halt Motorist

Mr. Clark stated that he was driving home late at night when he was followed by two policemen who accosted him as he got out of his car and demanded to see his driver's license.

They then said they would have to search his car, Mr. Clark said, to which the merchant remarked: "I thought you had to have a search warrant for that."

Mr. Clark said his remark offended one of the officers, J. D. Ginn, who began cursing him.

After searching his car and reportedly not finding any whisky, Mr. Clark said, Ginn told him to get in the officers' car, that he was taking him to city hall.

Beating Threatened

Mr. Clark said that when he asked the charge, Ginn began cursing him again, arousing the merchant's wife who came to the door and wanted to know what the trouble was.

When told that he was being taken to city hall, Mrs. Clark reportedly told her husband to go along peaceably so the officer wouldn't hit him.

To relieve his wife's fears, Mr Clark said, he told her: "Oh, he's not going to hit me."

Whereupon, Mr. Clark said, Ginn told him not to be too sure of that and ordered him into the police car.

Accused Of Drunkenness

At City Hall, Mr. Clark said he was taken in before the desk sergeant, who asked the officers what he was being booked for. "Drunken driving," Ginn re - sponded.

Mr. Clark said he was then told to take off his glasses and "dump" his pockets. He said when he started to reach in his hip pocket, the other officer, E. L. Hines, got his hand in ahead of him.

Ginn then snatched off his glasses, Mr. Mark said, and with no provocation, struck him in the face with his fist.

Mr. Clark said he asked the desk sergeant if he was supposted to be assaulted like that and that the latter told him he had acted "ugly."

Mr. Clark said when he asked in what way, Ginn grabbed him and locked him up.

Held Incommunicado

Mr. Clark said he was not permitted to stand his own bond or to call a friend, Earl Weeks, local taxi operator, to stand it until Weeks could be cleared with the chief of police the next morning.

During the night, Mr. Clark said, a professional bondsman came through the cell block and wanted to know if anybody wanted his services. He said he paid the bondsman a $10 fee to stand the $200 bond and was let out of jail.

White Man's Story Similar

The white complaintant, Mr. Rhodes, told a similar story of being slapped by an officer when he was arrested for speeding. The officer, W. M. Percise, also slapped him all the way downstairs to the cell block when he was being locked up, he charged.

In presenting UO's protest, the Rev. Mr. Todd told the aldermen that "a number" of such cases of mistreatment had come to the group's attention.

"We do not condone any type of disorderly conduct which requires arrest," the Rev. Mr. Todd said, "but we do ask that steps be taken to prevent any form of brutality or cursing and other abuse of persons in the custody of law enforcement officers."

Investigation Ordered

The aldermen instructed City Manager Zeno G. Hollowell and Police Chief H. A. Lane to conduct an investigation of the charges and report back at the board's next meeting.

In commenting on the complaint, Chief Lane said he did not believe that "any such treatment has been meted out by officers in the department, but if it has, I want to find out about it and correct it."

Mr. Lane said that had Messrs. Clark and Rhodes come to him personally with their complaints, he would have investigated immediately.

MERCHANT, BLOND COMPLAIN:

Clear officers of brutality charges

Afro-American P. 13 Baltimore, Md.

11-28-53

13c

GOLDSBORO, N.C. — The Goldsboro Board of Aldermen voted last week to dismiss charges against two city police officers for allegedly mistreating Leroy Clark, local merchant, and Roland Rhodes, white drive-in grill operator.

The charges had been filed by United Oraganizations, colored civic group, whose president, the Rev. G. W. Todd, told the aldermen that similar complaints had reached his body from time to time.

In dismissing the charges, the board acted upon the recommendation of City Manger Zeno G. Hollowell, who, with Police Chief H. A. Lane, had been instructed to make an investigation of the complaints.

No Mistreatment

Hollowell told the board that, in his opinion, neither of the plaintiffs had been mistreated in any manner.

The city manager produced sworn statements from Officers J. D. Ginn and W. M. Percise, the two policemen involved and from Desk Sergeant C. F. James on duty on both occasions, denying the accusations of Mr. Clark and Mrs. Rhodes.

In the case of Mr. Clark, Ginn said that he and Officer E. L. Hines had observed the merchant going through a stoplight at the corner of John and Dewey sts., around 2 a.m., Oct. 20. He said Mr. Clark's car was swerving from side to side.

Placed Under Arrest

When the merchant entered the driveway of his home, Ginn said he accosted him and asked to be shown his driver's license. He said he then told Mr. Clark he was under arrest for drunken driving and made him get in the police car.

Ginn stated that he then went to search the glove compartment of Mr. Clark's car for liquor, whereupon Mr. Clark got out of the police car and tried to intervene, saying, "You don't look in that car without a search warrant." Ginn said the merchant pushed him from the car.

(The affidavit did not mention finding any whiskey, leaving the assumption none was in the car.)

Wife Appears

Ginn stated that Mrs. Clark then appeared and persuaded her husband to accompany the officers.

At the police station, Ginn said, Desk Sergeant James wanted to know what Mr. Clark was charged with, and that he told him "Drunken driving."

Ginn said the merchant was then told to take off his glasses and put his money and other valuables on the table.

Leaving the impression that Mr. Clark did not respond quickly, the affidavit stated that Officer Hines removed the merchant's watch, pocket knife and small change from his side pockets.

Grabs Officer's Wrist

Ginn said he then took off Mr. Clark's glasses and was reaching in his hip pocket to get his wallet when the merchant said, "No damn it, you're not going to get that!" and grabbed the officer's wrist.

The officers said he then seized Mr. Clark's arm and pushed him back, but did not strike him. (Mr. Clark charged Ginn struck him with his fist).

Ginn said after the wallet had been removed and placed on the table, Mr. Clark tried to retrieve it.

Testimony Corroborated

Desk Sergeant James corroborated Ginn's testimony, stating the officer did not strike Mr Clark, but merely pushed him away.

James said the merchant asked him: "Mr. James, are you going to let these boys treat me like that?" and that he responded, "Leroy, you asked for it."

James stated that he smelled the odor of whisky on Mr. Clark when he was brought into the police office and that the merchant appeared "very drunk."

Put In Jail

He said Mr. Clark wanted to give bond and go home, but that he told the merchant he would have to stay in jail at least four hours, by a department ruling, to sober up.

James stated that Mr. Clark didn't ask to be allowed to call up anyone to stand his bond and went peaceably downstairs to the police cell.

Mr. Clark charged he was not allowed to contact a friend, Earl Weeks, to go his bond, and had to avail himself of the services of a professional bondsman who appeared in the cellblock during the night.

Sticks To Charge

When interviewed following the aldermen's decision, Mr. Clark stuck to his story that he had been struck by Officer Ginn. He also denied pushing Ginn from his car when the latter was searching for whisky.

"You know I wouldn't have shoved Mr. Ginn with Mr. Hines standing there, too," was the merchant's comment.

The drunken driving charge against Mr. Clark has not yet been tried in county court. When it comes up, Mr. Clark's attorney, Ogden Parker, has intimated he might air the alleged mistreatment by Officer Ginn—now a closed matter so far as the board of aldermen is concerned.

Alderman Raises Question

Incidentally, only one of the aldermen—F. A. Anderson, service station operator—raised any questions about the report, and he was promptly squelched by other members of the board.

When Mr. Anderson suggested that Mr. Clark should have been stopped immediately if he was driving drunk, a fellow board member pointed out that another car was reported between the officers and the merchant, and that the board was considering only the mistreatment charge, anyway.

When Mr. Anderson further suggested that Mr. Clark had reportedly shown a lump on his face the day after his arrest, a board member replied that anything might have caused the injury—especially if the merchant had been drunk.

No Comment Offered

The Rev. Mr. Todd declined to comment on the aldermen's decision but said it would be considered at a meeting of United Organizations Sunday afternoon.

The complaint of Mr. Rhodes, charging that Officer W. M. Percise had slapped him downstairs to the cellblock following his arrest for speeding, likewise was denied by Percise and Sgt. James in sworn affidavits.

Percise said the only time he had touched Mr. Rhodes was to take a cigarette from his mouth at the time of putting him into the police car. Sgt. James concurred that Percise did not lay his hand on Mr. Rhodes when he was brought into the police office—though there was nothing said about Sgt. James being a witness to what went on on the stairway.

Neither Mr. Clark nor Mr. Rhodes was questioned during the official interrogation of the police officers.

13e 1953

OHIO

Happened In Ohio; Released Next Day

13e

Ohio

Courier

Told Cop Who He Was; Roughed Up Anyway

(Special to the Courier)

TOLEDO, Ohio—Local citizens were aroused here last week and demanded immediate disciplinary action against police officers involved in unreasonable treatment of an ex-POW, recently returned from Korea.

Pittsburgh, Pa.

The ex-POW was held in jail overnight on an open charge simply because he had objected to police attempts to search him during a traffic jam. Top police officials later admitted that they released him after it was discovered that he was being held without charge.

9-26-53

PFC. LEONARD BREWTON, 22, was taken into custody when he went to police headquarters to complain about treatment he had received from an officer during a traffic tieup.

The officer, Patrolman Ralph Mowka, admitted that he had struck Brewton a "glancing blow" when the latter came up to him during a dispute over the snarl.

* * *

TWO OTHER cars, going in opposite directions had become wedged between parked vehicles on a narrow street. Brewton's car had been halted by the jam, and when he went up to investigate, the police sought to question him, he objected, asserting, "I don't have to put up with this. I know my rights."

Courier

9-26-53

During this dispute, the officer said he "stiff-armed" the soldier. Brewton left the scene and went to the police station to complain whereupon detectives ordered him held on an open charge overnight, despite Brewton's protests that "I'm a Korean veteran and spent three years in a Communist prison camp. You can't do this to me."

13e

Ohio

Superior officers freed Brewton the next morning and agreed that there was no reason for his being held in the first place.

13e 1953

Oklahoma

RICH CHICAGOAN WHO FLED NAKED TAKEN TO MIAMI

13e Okla.

Beaten by Deputy in Oklahoma Town

Joplin, Mo., Feb. 11 [Special]—Arthur Appleton, 37, wealthy Chicago business man, who yesterday fled naked from a local hospital where he was under obvation and subsequently surrendered to authorities at Columbus, Kas., left here today for Miami. He was accompanied by his wife and a Chicago business associate.

Unable to obtain seats on plane for St. Louis, the Appleton party rented an airport limousine and departed in it for the 350 mile trip to St. Louis. Mrs. Appleton, the former movie starlet Martha O'Driscoll, who arrived here today from Miami, said she intended to fly from St. Louis to Miami with her husband. She added he will remain in Miami for a long rest.

2-12-53

P.8

Ruckus in Bar

Ed Murray, vice president of the Appleton Electric company of Chicago, who flew here yesterday from Chicago, was with the Appletons when they left here. He said Appleton had spent a restless night in a hotel suite after his return last night from Kansas.

Murray said Appleton left the suite about midnight and figured in a disturbance in the hotel bar. Appleton was returned to the suite, Murray said, and Murray then hired two off duty policemen to guard the doors.

Mrs. Appleton said her husband was with her in Miami until two weeks ago when he left her to inspect an oil drilling operation on his property near Henrietta, Okla.

Teh chain of escapades in which Appleton has been involved began Sunday in Henrietta when he telephoned Tulsa police stating that his life had been threatened and that he was on his way to Tulsa where he wanted protection.

Fights with Deputy

Later that day Appleton reached Beggs, Okla., en route to Tulsa, and telephoned the local sherif, Ellis Holly of Okmulgee county, with another request for protection. This led to a visit to the drug store by Clede Cunningham, 50, a deputy sherif, and to a fight between Cunningham and Appleton when the officer attempted to put handcuffs on the Chicago man.

13e

J. R. Costen, commander of the Beggs post of the American Legion, said today he witnessed the fight. ~~He said Appleton was~~ hit two or tthree times in the face with the handcuffs, knocked down, and kicked while he was on the floor.

"The man was beaten without reason," ~~Costen asserted.~~ He issued a call for a public meeting tonight to discuss the incident. Sherif Holly and Beggs town officials said they would attend.

Watch for Kidnaper

The sherif said his office had been alerted Sunday to watch for a fugitive kidnaper thought to be headed toward Oklahoma from California and that his deputy resorted to force in the mistaken belief Appleton might be the wanted man.

Appleton was released on establishing his identity and traveled to Joplin by air. Joplin authorities ordered the hospitalization which percipitated his flight into Kansas.

13e 1953 PENNSYLVANIA

Youth slain by policeman

13 e

Outraged groups demanding probe

Pa

PITTSBURGH, Pa.—Churches, unions, and community organizations are urging their members and friends to demand a thorough investigation into the fatal shooting of a 15-year-old youth by a white Pittsburgh detective on Saturday, Oct. 17.

The youth, Clifford Cato Jr., of 2473 Waring ct., here, died instantly when the detective's bullet entered his back, penetrated his spine and lodged in his heart, a little less than four hours after he left his home on his bicycle.

Afro American

The death weapon was reportedly wielded by Detective David Capadonna. It was ascertained after the shooting that young Cato had no gun, knife or any other object that might have been considered a weapon.

Further investigation revealed that the detective allegedly had knocked the youth down before drawing his gun and shooting him.

Outraged civic groups point to the fact that a policemen may not shoot to kill "unless his life, or the lives of others are endangered." Since the youth carried no weapon, they contend the situation did not demand the fatal step taken by the detective.

Sat-10-31-53

Moreover, it is contended, the slayer of the defenseless youth is still assigned to duty with the "same gun on his hip."

It was also charged that the Pittsburgh government actually protects jim crow. This is especially true in the police department, one organization claimed, with a seemingly unwritten motto of "Shoot first, if it's a colored person."

Probe Case of Pair In Hospitals After Friday Night Flare

13e S C

The brutal beating of a father and his son by town officers and a mob of whites estimated at 20 or more last Friday night near Columbia came to light here Wednesday as relatives of the men, both in hospitals and under sedatives, sought assistance.

The victims are identified as Edisto DeVeaux, who is said to live about one mile out of Eastover, and his son, Herman DeVeaux, who lives at Camden.

The father, said by relatives to have sustained head injuries, a cut or stabbed stomach and other hurts, is a patient at the Columbia Hospital. The younger DeVeaux is at the Veterans Hospital. The father is a veteran of World War One; the son of World War Two.

Both are charged with being drunk and resisting an arrest. Their cases were reportedly being investigated late Wednesday by sheriff S. S. Sligh's office and among other things pending sufficient recovery of the pair to permit questioning when they weren't under the influence of opiates.

Mrs. Ophelia DeVeaux, wife of one and mother of the other man, along with the eldest son Enoch DeVeaux and his wife said that the father, driving a 1951 light green Chevrolet, had taken his son Herman into town about ten thirty Friday night to collect some money an unidentified man is said to have owed him. As they entered town, they told newsmen, they were stopped by two town officers and charged with over-running a stop sign. The son was driving. There were no other passengers reported in the car at the time.

Relatives say that the father protested the charge and a dispute followed. Mrs. DeVeaux said her husband told her that the officers summoned help and that some 20 or more white men quickly joined them, the combined groups soundly beating and injuring them.

In Jail All Night

The two men remained in jail at Eastover until near or shortly after noon Saturday, being removed to the respectively named hospitals.

Both have been released from custody pending a trial under bond. The father is out on $200 bond and the son $100. Relatives said word of the arrests and beatings reached them late Friday night.

Lynching and Injuries

Jet 1-22-53

Pd

Columbia S.C.

Motorists Are Terrorized By Arkansas Cop

MEMPHIS, Tenn. — (SNS) — A Memphis couple reported this week that they were forced at gunpoint to watch an Arkansas policeman beat Leroy Phillips, 18 with a pistol.

13e

Mr. and Mrs. Herbert Ray said the incident occurred near Stuttgart, Arkansas. Mrs. Ray said, 'It was the most horrible sight I have ever seen."

CITY AROUSED

It was reliably reported here that the city of Stuggart is very much aroused over the brutal beating given Phillips by a city policeman and an ex-officer.

The city charged the men with assault with a deadly weapon and public drunkenness.

A more serious charge, assault with intent to kill, punishable by a penitentiary sentence, and a fourth charge of carrying a pistol as a deadly weapon, will be placed against the pair by an attorney for the assault victim, the attorney said.

Jn. 2-27-53

City officials, following an inquiry of the Sunday incident witnessed by at least a dozen passing motorists who said they were terroized by one of the attackers, moved swiftly against Ellis Cheshire, the patrolman, and B. L. Taylor, the former officer.

PHILLIPS CONDITION "GOOD"

Phillips, severely beaten on the head and face, was in good condition Tuesday.

Chief of Police Buddy Stringer, who has fired Cheshire, and Sheriff Harold Woodson Tuesday released details of their investigation.

Chief Stringer said Cheshire, who was off duty when he and Taylor attacked Phillips left the City Hall about 6 a. m. Sunday after working all night and that he was "sober as a judge" when he left

"ON WAY TO BREAKFAST"

"Cheshire told me in an oral statement that after leaving here he met Taylor and that Taylor had a small amount of whiskey," Chief Stringer said they each had a small drink and started to a cafe intending to eat breakfast asd go home and go to bed. ~~But~~ he said they wound u[illegible] Negro section of town."

"Cheshire said they gave Phillips some money and he went in a cafe, but came back and said he couldn't get any whiskey," the chief continued "Then they loaded him in the car."

Jn. 2-27-53

13e

TWO SHOTS FIRED

Phillips is reported to have stated that after he was shoved in the car, they drove him out on the highway and onto a side road and began beating him with a "coke bottle and a pistol." Then Cheshire went to get a rope to tie him up, Phillips said he broke loose from Taylor who fired "at least two shots at him, Phillips said the men caught him as he reached the highway and began beating him again and that Cheshire, waving his gun, forced several cars to stop. Phillips later was taken to his home by Taylor who left Cheshire still standing on the highway.

Sheriff Woodson said when he reached the scene he found Cheshire standing on the highway 'with his pistol in his holster." He said there were several cars stopped and that Cheshire had been asking to see their drivers licenses

OFFICER DISARMED

Sheriff Woodson said, when he did learn all details, he conferred with the city attorney, the chief of police and other municipal officials.

"If they hadn't filed charges I was planning to do so myself," the sheriff said.

Sheriff Woodson pointed out the incident began in the city and that his only jurisdiction in the case was that the beating occurred in the county.

Citizens here were stirred up over the incident. It was general conversation in hotel lobbies, barber shops and on street corners.

SUMMONS ISSUED

City Attorney Macom said, he already had issued summons for eight witnesses and that he probably will have 'many more than that."

Sheriff Woodson, Chief Stringer and other officials said they had received no telegrams or phone calls from Negro organizations about the incident.

Key Witnesses 'Missing'

'Brutal' Beatings Touch Off Knoxville Cop Probe

KNOXVILLE, Tenn.—A Knoxville man who accused police of striking him in the face with a heavy set of city jail keys has touched off a probe into Knoxville police brutality.

But before the Knoxvillian could be questioned about the brutality charge he vanished, leaving word he had gone to Pittsburgh to visit his family.

Courier

James T. Jackson, Lynch Street, is the missing witness whom Police Chief Joe Kimsey wished to question in his investigation of Capt. Raymond Siler's detachment—four policemen accused of brutality in making arrests.

13e

P. 3

* * *

JACKSON HAD been jailed on a drinking charge.

Two other persons also reported maltreatment at the hands of the Knoxville detachment members, and a woman witness in one of those cases also has vanished.

Their disappearance is expected to delay Chief Kimsey's probe. John Marshall, at the time a state highway patrolman, and Louis Egbert, Knoxville resident, were mauled by the cops.

A woman witness in the Marshall case, Mrs. Jacquelyn Rose Fischer, disappeared this week along with Jackson. She was in a room with Patrolman Marshall, since resigned from the Tennessee Patrol, when the cops broke into their hotel suite.

Feb. 13-53

* * *

CHIEF KIMSEY said Jackson "suddenly took a notion to go to Pittsburgh to visit his wife and children the night before he was to be questioned."

City trial attorney, Hugh Simpson, said he had reviewed Kimsey's file on the beating and reported he found "probable cause." Probable cause is necessary in a preliminary hearing before a case is taken to higher authority.

The arresting officers in all the cases, Capt. Raymond Siler, Sgts. B. M. Newman and Bill Nelson, Patrolmen Charlie McCoy and Mark Caldwell, are currently on the night shift.

JAMES JACKSON

. . . *beaten by cops*

* * *

THE CHIEF'S prize witness is Mrs. Fischer, pretty white girl, who said she, too, was whipped by police and by a wet towel as she lay almost nude in a hotel room bed.

Chief Kimsey found Mrs. Fischer in Columbus, Ga., and obtained from her this version of the Jackson case:

"The police brought in the Negro man, Jackson, while I was sitting in front of the jailer. They asked him his name and then emptied his pockets. Then they wanted his watch.

"'No sir, not my watch,' Jackson told police.

"That's when Patrolman Charlie McCoy grabbed the jail keys and struck the man in the face.

"The blood started running and I couldn't look. I buried my head in my arms on my lap. McCoy continued hitting the man and finally knocked him against the wall. McCoy must have a terrible hate for Negroes because he was very kind to me.

"'Then someone said, 'Get that woman out of here.' They took me out and the next time I saw Jackson his face was all bandage up. The floor was still covered with blood when they brought me back and one of the officers apologized because it hadn't been cleaned up."

* * *

THE FOURTH beating case is that of a Knoxville white man who said he had taken his gun outside to look for prowlers, and the fifth is that of a man only Wednesday committed to a mental hospital for observation after reportedly grabbing a woman on a street.

Both were manhandled, according to the police chief.

13e 1953

TEXAS

The Informer
Houston, Texas
Sat. 7-18-53
P.1

GALVESTON. — A young medical intern, the first Negro to be admitted to and the first to graduate from the University of Texas Medical School here, was the alleged victim of police brutality Monday, July 13. The young medic, Dr. H. A. Barnett, a native of San Antonio, was arrested and severely beaten that he was hositalized for head and face injuries.

The young doctor, according to reliable sources, was returning to Galveston, where he is serving his internship at John Sealy Hospital, and was chased by a highway patrolman for speeding. When the cruising patrolman saw that his chase was to no avail, he radioed the Galveston police to set up a road block to halt Dr. Barnett.

Then the young intern reached the busy intersection at Broadway and 75th St. in the Galveston city limits, he was stopped by local policemen. It was between 1:30 and 2 a.m.

The Informer

In very abusive language, it was said, the officers ordered Dr. Barnett from his automobile at gunpoint. And, as the reports go, without saying a word to the medic, a husky policeman struck the doctor in the face with his pistol. The blow staggered Dr. Barnett, who weighs scarcely 140 pounds.

Reports say that a few minutes after the initial striking, the highway officer, identified as Patrolman John Connor, arrived at the scene and took charge of the beating and abuse. Dr. Barnett was allegedly handcuffed hustled into a police car, and driven to a remote area near Alvin, Texas some 25 miles from the spot where he was apprehended by the quintet of officers. Dr. Barnett allegedly told the officers that he was "on call," that he was an intern at John Sealy Hospital, but they continued their beating and called him a liar. (Dr. Barnet, according to records, is the first Negro to serve as intern at the large hospital. He was allegedly struck with a flashlight and a pistol. He was also chastised for failing to address the officers as "sir."

Houston, Texas

The story goes that while the physical abuse was taking place, lights of an on-coming automobile lighted up the area and the beating ceased temporarily.. that is, until the car passed by. Then Dr. Barnett was pulled out of the car and beaten again.

It was reported that the young doctor was knocked unconscious by one of the many blows to his frail body. When this happened the policemen allegedly rushed him to Memorial Hospital at La Marque some 13 or 15 miles from the "whipping post" near Alvin.

Reportedly, some of the young interns at the hospital recognized Dr. Barnett and asked officers why he had been abused. They told the officers that the much-beaten man in their custody was a classmate of theirs and that he was well respected and admired not only by the student body but by the faculty of the medical school as well.

Sat. 7-18-53

Then, according to the information received by the INFORMER, the officers changed their tales. They told the medical attendants that Dr. Barnet had drawn a knife on them. The interns allegedly told the officers that they had known Dr. Barnett for four years. They said that he was not the type to even carry a knife. (It is reported that no knife was found in Dr. Barnetts possession by the officers or the interns.

P.7

To prove that he was not drunk, it was reported that the young Negro asked for a blood test. This, however, was not given because the officers claimed that the equipment to perform the test was not in the police car.

The interns reportedly notified Dr. Chauncey Leach at the medical school and Dr. Barnett was removed to John sealy Hospital at 8 a.m.

Galveston is all in the air about the incident. Negroes of the city and the interns, doctors, and nurses at the hospital, as well as the students at the medical school, say that something should be done about the merciless beating.

However, the "big wigs of the school, hospital, and City Hall are apparently making desperate attempts to "kill the story of the incident.

When an INFORMER reporter contacted Attorney Thomas H Dent, he retold the story of the alleged beating and said that he had spoken with the victim in order to file charges against the local and state policemen. I'm checking the case to determine if Dr. Barnetts civil rights were violated. If so I'll see action in a Federal court, the well-known lawyer said. Nevertheless, he indicated that some action would be taken.

When the reporter went to the hospital to interview Dr. Barnett, he was told to wait in the corridor, for some of the big doctors were in his room.

After waiting a few minutes the doctors left the room and the reporter entered. When an attempt was made to get first-hand information from Dr. Barnett, who was exhibiting four wounds on his head and the bruises on his face to his mother, the young doctor was reluctant about speaking. He stated that he was afraid that it would would harm his good name at the two institutions.

Just as Dr. Barnett was being told that publicizing the incident would have no effects, whatsoever on his forthcoming career, two more doctors entered the room and reminded the still-suffering medic that he had too much to lose if "the story broke.

After the departure of the two "advice-giving doctors, Dr. Barnett was still unwilling to issue any information regarding the beating.

It was almost obvious that pressure was being applied to the recently graduated doctor.

But what Dr. Barnett and the "advice-givers apparently did not know is the fact that the news of the beating was broadcasted in a regular newscast over a Galveston radio station. The newscast, The INFORMER learned, was at 12 noon. Tuesday the story of the beating was on front pages of leading Texas dailies.

What are the authorities at City Hall doing? from all indications it seems that the city is trying to pass the buck to the State. Highway Patrol. Commissioner Walter Johnson said that it was the highway patrolman, not the Galveston police, who abused Dr. Barnett. However, he did say that Police Chief W. J. Burns would make an investigation of the entire matter.

Dr. Barnett made history when he received his medical degree from the University of Texas Medical School in the June graduating class cum laude.

Intern Is Victim Of Police Beating; Files Federal Suit

Eagle
P.1

GALVESTON, Tex. (ANP) —A brilliant young Negro intern was the hospitalized victim last week of a brutal beating by one or three white police officers. As a result of the beating in which he suffered four gashes in his head, the physician has filed suit in a federal court, charging that he was denied his civil rights.

13e
Tulsa
Okla
Thurs
7-23-53

The victim of the police brutality was Dr. Herman Barnett, the first Negro to be graduated from the University of Texas Medical school in Galveston. He was graduated only a few months ago with highest honors.

After graduation he was appointed an intern at the John Sealy hospital in Galveston. His supervising physicians at the hospital and faculty members of the medical school all praised him highly as a very capable young man.

The beating occurred early on Monday morning July 13, after Dr. Barnett had been arrested for speeding. Here is the story of the incident:

Dr. Barnett was returning to Highway 75 at a speed above the speed limit. He was stopped at a road block set up for him by two city policemen. Highway patrolman John Connor had radioed them to set up the block.

When he stopped, Connor pulled up beside him and asked him his name. When he identified himself, the officer told him he was lying, then bashed him across the head with his pistol and asked him his name and address again.

Stationed at the road block were city policemen Ammie Mize and Louis Kesel. They held Dr. Barnett while Connor handcuffed him and took him to his auto. The city police took the intern's car to a local garage.

Whatever happened between that time and the moment Dr. Barnett was accepted as a patient in the County Memorial hospital is a mystery.

When Connor brought him to the hospital he was unconscious. He was treated there and later transferred to Sealy hospital.

Some 27 stitches had to be taken in the medic's head, and a "no visitors" sign is still on his door. He suffered four head gashes and a possible fractured cheekbone.

Eagle

A young white senior student doctor who recognized Dr. Barnett risked his future to have him transferred from County Memorial to Sealy. The intern, unidentified, telephoned Dr. Chauncey Leake at Sealy telling him about Dr. Barnett.

Thurs 7-23-53

Dr. Leake, Dr. D. Bailey Calvin, dean of students, and E. N. Capplemann, business manager, went to county hospital and had the intern transferred to John Sealy hospital.

13e Texas

An official at Sealy praised Dr. Barnett as a man with "a fine record." He said the intern was returning from a reception for interns in Houston.

Dr. Barnett has filed charges against Connor through his attorney, Thomas Dent of the local branch NAACP legal redress committee. Dent is seeking an FBI investigation of the incident and has charged that Connor violated Dr. Barnett's civil rights.

Latest developments indicate that the two city policemen may not have been involved in the brutality. They made a joint statement declaring that until the time they transferred the Negro to Connor's patrol car, no one had hit the intern. They pointed out in their statement that Dr. Barnett was handcuffed when they put him in the police car. They said they left him with Connor unharmed.

In the meantime Connor has filed charges against Barnett, accusing him of assault with intent to murder, resisting arrest and speeding. He claims that Dr. Barnett attempted to knife him.

The state of Texas reportedly is investigating the incident. Judge J. D. Ross of Hitchcock, Tex. blasted the intern at County Memorial hospital for having Dr. Barnett transferred.

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27 Stitches Needed To Close Cuts

Journal and Guide

First Graduate Of Texas U. Arrested; FBI Probe Asked

P-1 13e

Special to Journal and Guide

GALVESTTON, Tex. — Dr. Herman Barnett, first Negro graduate of the University of Texas Medical College, was recovering last week from an assault by a Texas highway policeman who arrested him on a charge of speeding, handcuffed him and beat him across the head with a pistol. Removed, unconscious to a hospital, Dr. Barnett, required 27 stitches.

The FBI was asked to investigate the case by Dr. Barnett's attorney, Thomas Dent, of the legal redress committee of the local branch of the National Association for the Advancement of Colored eople.

Va.
Sat. 7-25-53

THE NAACP attorney charged that the young physician's civil rights had been violated by the law enforcement officer.

Dr. Barnett was graduated with highest honors in 1953, and is now interning in a local hospital. He is highly regarded by the medical faculty and his associates here who are reported to be seeking to help him and to assure his advancement in his profession.

13e 1953 TEXAS

Police Station Janitors Quit Over Slapping

Informer

Houston, Tex

HOUSTON—Four enraged Houston Police department janitors walked off their jobs Thursday around 5:15 p.m. after one of their number, Earnest Monroe, 35, of 1210 West Dallas was allegedly slapped by a police Lieutenant.

MR. MONROE reports that he was slapped after he spoke to a prisoner in the custody of Lieutenant Foy Melton of the vice squad. The slapping was said to have occurred as they met in a third floor corridor.

Sat 2-7-53

Captain Seber of the Morals Division stated that Chief Morrison had talked to Lieutenant Melton but has not yet released a statement.

13e

THOSE WHO followed Mr. Monroe in the walk out were James Nunn, 30, of 1201 Shearn; Emmett Gibson, 35, of 3905 Dickson, and Earl Brew, 23, of 3006 Link. Another janitor, George Jones, 21, of 1306 Robin, remained on the job.

WOODARD'S CASE RECALLED:

Hit Police Brutality Near Air Force Base

13e

BIG SPRING, Texas—Echoes of the Issac Woodard police brutality case reverberated throughout the nation recently when it became known in Washington, New York and Richmond, Va., that colored airmen stationed at the Webb Air Force base here are being subjected to a reign of terror by civilian police.

Afro American

Woodard was a World War II dischargee, who while en route home from Army service in 1946, by bus, was beaten until blinded by a Batesburg, S. C. police chief.

P. 3

The Big Spring police brutality case came to the attention of the public when a Richmond-born airman attached to the Webb Air base, in an official communiciation, requested a top level headquarters investigation of "the unmerciful beatings and persecution of colored troops, including the partial blinding of one, in the Big Spring area."

Baltimore, Md

5 Join In Protest

The beating, arrest and fining of A/B Charles C. Hammond of Los Angeles, Calif., late in March, was the last in a series of terroristic police actions which stimulated five airmen on the base to request action of headquarters against such atrocities.

Sat. 4-18-53

Hammond and three friends were sitting in the Skyliner club on the evening of March 28, when the place was raided by three squad cars full of police and deputies in civilian clothes, who said they came in response to a call stating that guns and knives were seen in the neighborhood.

When Hammond asked what right the police had to search him when there were air force police standing by, the deputy began beating him and knocked him over a table, whereupon another deputy joined in the onslaught and continued the beating, eyewitnesses stated.

Charges Don't Stand Up

Hammond was thrown into jail and tried on charges of disorderly arrest, after charges of drunkeness had been dismissed when an air base doctor had testified he had examined the GI and found that allegation false.

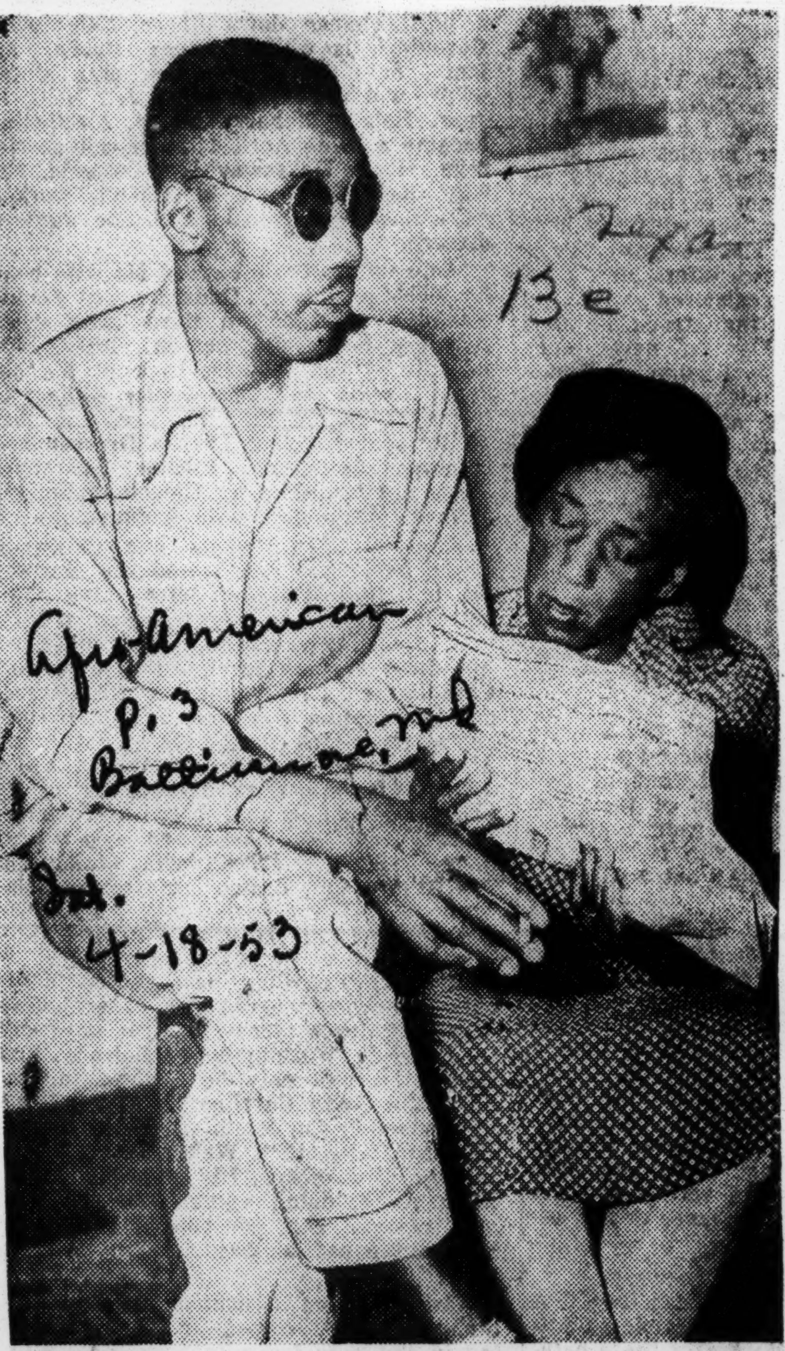
The charge of resisting arrest collapsed also, after Deputy C. H. Forgus, who first struck the service man, testified that he had beaten him because "it looked like he was going to jump me while I was talking to him."

Hammond, nevertheless, was fined $100 on a charge of disturbing the peace because it was testified he had used profanity.

Congressman's Aid Asked

In the request for a headquarters investigation of treatment accorded colored servicemen in Big Spring, it was pointed out that one of the colored airmen (name not disclosed) at the base recently lost an eye because of police beatings.

In addition to requesting that the air force investigate conditions at Big Spring, the five indignant airmen have submitted facts on local police brutality to Rep. Adam C. Powell (Dem., N.Y.), with the request that he also do something to alleviate the situation.



Texas

13e

Afro American

P. 3

Baltimore, Md

Sat. 4-18-53

CASE RECALLED — Protests against police brutality in Big Spring, Texas, recalls the case of Pvt. Isaac Woodard, who was blinded by a South Carolina police chief several years ago. Woodard is shown here with his mother at their home in New York City.

Says Attack By Officer Unprovoked

Defender

Chicago, Ill.

Sat. 7-25-53

GALVESTON, Texas—Dr. Herman Barnett, first Negro to be graduated from the University of Texas Medical School in Galveston, has filed suit in federal court charging that a Texas Highway patrolman denied him his civil rights.

P. 1 13e

Doctor Barnett said he was brutally beaten by one of three police officers after he had been arrested for speeding. The young medic was hospitalized with four gashes in his head.

After graduating from the University of Texas Medical school several months ago with highest honors, he was appointed an interne at the John Sealy hospital in Galveston.

Doctor Barnett was returning to Galveston from Houston early last Monday morning on Highway 75 at a speed above the limit. He was stopped at a road block set up for him by two city policemen. Highway Patrolman John Connor had radioed them to set up the trap.

When he stopped, Connor pulled up beside him and asked him his name. When Barnett identified himself, the officer reportedly told him he was lying, then bashed him across the head with his pistol and asked him his name and address again.

Stationed at the road block were city policemen Ammie Mize and Louis Kesel. They held Doctor Barnett while Connor handcuffed him and took him to his auto. The city policemen took the interne's car to a local garage.

When Connor brought Barnett to the hospital he was unconscious. He was treated there and later transferred to Sealy hospital.

Twenty-seven stitches were taken in the medic's head. He also suffered a possible fractured cheekbone.

A young white senior student doctor who recognized Dr. Barnett risked his future to have him transferred from County Memorial to Sealy. The interne, unidentified, telephoned Dr. Chauncey Leake at Sealy telling him about Dr. Barnett.

Doctor Leake, Dr. D. Bailey Calvin, dean of students and E. N. Cappleman, business manager, went to County hospital and had the interne transferred to John Sealy hospital.

Doctor Barnett has filed charges against Connor through his attorney, Thomas Dent, of the local branch of the NAACP legal redress committee. Dent is seeking an FBI INVESTIGATION of the incident.

The two city policemen involved made a joint statement declaring that when they transferred Barnett to Connor's patrol car, no one had hit the interne.

In the meantime, Connor has filed charges against Barnett, accusing him of assault with intent to murder, resisting arrest and speeding. He claims Dr. Barnett attempted to knife him.

The state of Texas reportedly is investigating the incident.

"Unmerciful Beating" Of Man Charged To Two Policemen

Informer Houston, Texas

Victim Describes Ride To Tavern, Then Jail

Ind 7-4-53

HOUSTON — A young post office employee has charged the Houston Police Department with an "unmerciful beating." The alleged beating, a series of insults, and the subsequent arrest allegedly took place on June 19.

The alleged victim, Wiley Fletcher, 27, of 2503 Chenevert street, said that he was apprehended by two cruising policemen at 5:15 p.m., but was not taken to jail until "about an hour or so later."

R1

* * *

Mr. Fletcher told the INFORMER that he was returning home from the William Rice Station where he is employed as a substitute letter carrier, when the trouble started. He said that he was driving home and was being followed by a police cruiser. He said he continued to drive.

13e Texas

"As soon as I reached the door to the house, the two officers got out of their car and began to strike me," Mr. Fletcher said. He said that one of the policemen held his arms behind his back and the other handcuffed him.

"I was helpless with my arms behind my back and the two began to strike me again." He sobbed.

Instead of taking him to the police station. Mr. Fletcher said that he was driven east on McGowan ave. It was there, according to Mr. Fletcher, that "the hell broke loose.

"The officer in the rear of the car with me started to strike me on the head and in the face with a blackjack. He was hitting me with all his strength. Later the blackjack broke and the officer began to strike me with his fists," Mr. Flecher said.

After several blows in the midsection of the body, Mr. Fletcher said that the driver of the car gave his blackjack to the officer riding in the rear. This, too, Mr. Fletcher said, was used in the beating.

* * *

The alleged victim said that by this time he was bleeding profusely. "The blood that you are beating out of me would be appreciated by the Red Cross to give to some of the wounded fellows in Korea." Fletcher said he informed officers. He said one replied:

"I'd rather see your n—r blood running on the ground!"

* * *

Mr. Fletcher said the police drove him to Shady's Play House, 3339 Simmons ave. It was there that the officers asked the proprietor, Vernon Jackson, if he knew Mr. Fletcher. Mr. Fletcher said Mr. Jackson denied knowing him.

A young woman who accompanied Shady to the police car asked Shady to intercede in Fletcher's behalf, but Shady only joined the officers in their mockery, Mr. Fletcher told an INFORMER reporter.

(Dr. Leon Phillips, who treated the postman, said that Mr. Fletcher was treated for nose bleeding, superficial injuries, and his arm. He stated that it was impossible for him to determine the extent of the bleeding. "Some people bruise and bleed easier than others, and more physical abuse than others," the physician said.)

P.10..

Mr. Fletcher told how the officers cursed him for working at the post office. "You should be somewhere driving a mule instead of delivering letters," Mr. Fletcher said one of the officers told him. "We're going to make an example out of you," Mr. Fletcher said he was warned.

Informer

Adding insult to injury, Mr. Fletcher said he was instructed by the police to call himself all types of vile names whenever the police crusier drove into an area where Negroes were. Finally, Mr. Fletcher said he was taken to police headquarters. Without any medical treatment, whatsoever, he was thrown into jail, and charged with speeding and failing to stop at a stop sign, Mr. Fletcher stated.

* * *

"About 9:30 or 10 o'clock that night, Attorney Arthur Heidensfielder got me out of jail." Mr. Fletcher said.

13e

When a reporter contacted Attorney Heidensfelder, he said that he did not care to "discuss the matter right now." He said that Mr. Fletcher has a good job and there is not any sense in making a big issue out of the incident.

Texas

"The white people could cause him to lose his job, Attorney Heidensfelder said.)

(Attorney Heidensfielder, however, did indicate that his client was a victim of brutality.)

Mr. Fletcher said he intends to file a suit against the City of Houston for the alleged abuse. He pointed out scars that were still "raw" on his head. He pointed to his eyes... they were puffed and dark.

"Look at my arm," Mr. Fletcher invited. There was a scar, approximately three inches long, on his lower arm. "This was caused by the handcuff," he said.

Accuse Galveston And State Police

The Informer

Houston, Texas

BULLETIN

HOUSTON. — Galveston Police Cheif W. J. Burns denied Tuesday morning that the Galveston police had anything to do with the alleged beating of Dr. H. A. Barnett. In a long distance telephone interview with the Informer he said "If Dr. Barnett was beaten it was done by the Highway patrol. The police head said that State Highway Patrol Car No. 336 put in a call at 1:36 a.m. for a roadblock to halt the speeding doctor. He said that three city police cars containing six officers answered the call.

Sat 7-18-53

R

"Car No. 30, Officers [illegible]essel and Mize, stopped the doctor and had to pull their pistols to get the man out of the car," Chief Burns told The INFORMER. He said that Highway Patrolman John Connor arrived and took Dr. Barnett away. "I cannot say what happened from that point on," he said.

"I'm at liberty to say that no Galveston policemamn struck the young intern," he concluded.

13e Texas

* * *

In the meantime, it is rumored that the Lone Star Medical Association is going to make an investigation and formal protest to the proper authorities in order to prevent further beatings of members of their professions when they are speeding on emergency calls.

Young Physician Beaten By Texas Highway Cop

13e

Advocate

GALVESTON, Tex., July 16.—Dr. Herman Barnett, first Negro graduate of the Texas Medical College, was today recovering from an assault by a Texas highway policeman who arrested him on a charge of speeding, handcuffed him and beat him across the head with a pistol. Removed unconscious to a hospital Dr. Barnett required 27 stitches.

P. 5 Texas

Sat 7-25-53

The FBI was asked to investigate the case by Dr. Barnett's attorney, Thomas Dent, of the legal redress committee of the local branch of the National Association for the Advancement of Colored People. The NAACP attorney charged that the young physician's civil rights had been violated by the law enforcement officer.

Jackson Miss

Dr. Barnett was graduated with highest honors in 1953 and is now interning in a local hospital. He is highly regarded by the medical faculty and his associates here who are reported to be seeking to help him and to assure his advancement in his profession.

Policemen Dragged Her In Street, Woman Says

Afro American

Warrants issued for two officers

P. 20 Sat. 8-8-53

Baltimore

Citizens of both races object to force used in arrest Saturday

13e Va

RICHMOND

Spurred by the demands of irate white and colored citizens, the Commonwealth attorney's office on Tuesday authorized the issuance of warrants for the arrest of two police officers accused of striking a pregnant woman and dragging her across the street to a patrol wagon.

The warrants were issued at noon Wednesday for W. D. Hagins and J. Nieder, members of the Richmond Police Department after an NAACP Legal Redress committee headed by David Longley, chairman, tried unsuccessfully to obtain the warrants at the Second Precinct Station.

The committee conferred with Assistant Commonwealth Attorney Dervishian and after an investigation, the commonwealth attorney's office ordered the warrants issued.

Afro Amer

The charges against the officers are the outgrowth of a melee at 29th and Clay sts. about 9 p.m. Saturday.

According to witnesses, Mrs. Mildred D. Pleasants, 22, mother of three children and expecting another next month, was engaged in a tussle with her sister in the front yard of their home, 2904 E. Clay st. when the officers were passing in a cruising patrol car.

P. 20

Sat 8-6-53

Robert Anderson, who lives in the rooming house where Mrs. Pleasants resides, said the officers parked the patrol wagon and came across the street where Mrs. Pleasants and her sister, Mrs. Wirgetta Robinson, were fighting.

Baltimore Md.

"One of the officers said, 'Break it up,' " Anderson continued, "and when the women kept on fighting he slapped Mrs. Pleasants on the head and repeated the phrase.

"Someone hollered 'Don't hit her she is pregnant,' and the officers separated the women. Then the other officer hit Mrs. Pleasants in the side with his fist and a few seconds later she fainted.

"Then the officers dragged her, one holding each arm, across the street to the wagon. When we tried to tell them about her condition they said, 'Go ahead and mind your own business.' "

Most Brutal Thing

A white citizen who witnessed the alleged dragging was Mrs. Ann Walker, co-owner of a grocery store at 29th and Clay. Mrs. Walker told the AFRO:

"It was one of the most brutal things I have ever witnessed. The skin was torn off her knees where they had dragged her across the street. This is a free country and we should not have such action on the part of the police, regardless of what color the person is.

Afro-American P. 20

Baltimore, Md.

Sat. 8-8-53

13e

Va

ACCUSES POLICE—Mrs. Mildred D. Pleasants, left, who charges Richmond police with striking her and drigging her some 30 feet across Clay st. as they arrested her Sat. night. Mrs. Pleasants is talking here with M. Ralph Page, NAACP attorney, and Mrs. Elsie Lightfoot.

"The officers were going to put her into the patrol wagon, but someone said 'That woman needs an ambulance" and then they radioed for an ambulance."

Mr. Walker Objects

Also registering a protest to the policemen's action was Mrs. Walker's husband, William M. Walker, who complained to the officers at the scene.

Mrs. Pleasants was first taken to St. Philip Hospital where she was revived and later to the station house where she was charged with striking officer Hagin and with disorderly conduct. She was arraigned in police court Monday and preliminary hearing was postponed.

Some 200 persons gathered at the scene and milled around protesting the officer's actions. One of the arresting officers was heard to say: "She tried to grab for my gun."

Mrs. Pleasants' sister was not arrested.

Plan Mass Meeting

Meanwhile, a protest mass meeting has been planned in the Church Hill area at 8 p.m. Friday. The meeting will be held at Mt. Olivet Baptist church.

The accused officers are scheduled to appear in police court Aug. 4 to face the charges.